

# FEDERAL REGISTER

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## Regulations

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter I—Farm Credit Administration

[FCA Order 391]

#### PART 3—FUNCTIONS OF ADMINISTRATIVE OFFICERS

##### AUTHORITY AND DESIGNATION OF ORDER OF PRECEDENCE

Authority, and designation of order of precedence, of Deputy Intermediate Credit Commissioners, Assistant Intermediate Credit Commissioner, and Assistant Deputy Intermediate Credit Commissioner to act as Intermediate Credit Commissioner in the absence of the latter.

Section 3.31 of Title 6, Code of Federal Regulations, is hereby amended to read as follows:

§ 3.31 *Authority, and designation of order of precedence, of Deputy Intermediate Credit Commissioners, Assistant Intermediate Credit Commissioner and Assistant Deputy Intermediate Credit Commissioner to act as Intermediate Credit Commissioner in the absence of the latter* John T. Walker, Jr., Deputy Intermediate Credit Commissioner, is hereby authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Intermediate Credit Commissioner in the event that the Intermediate Credit Commissioner is unavailable to act by reason of absence from the central office of the Farm Credit Administration or for any other cause.

Arthur C. Sullivan, Deputy Intermediate Credit Commissioner, is hereby authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Intermediate Credit Commissioner in the event that the Intermediate Credit Commissioner and Deputy Intermediate Credit Commissioner John T. Walker, Jr., are unavailable to act by reason of absence from the central office of the Farm Credit Administration or for any other cause.

Martin H. Uelsmann, Assistant Intermediate Credit Commissioner, is hereby

authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Intermediate Credit Commissioner in the event that the Intermediate Credit Commissioner, Deputy Intermediate Credit Commissioner John T. Walker, Jr., and Deputy Intermediate Credit Commissioner Arthur C. Sullivan are unavailable to act by reason of absence from the central office of the Farm Credit Administration or for any other cause.

Franklin D. Van Sant, Assistant Deputy Intermediate Credit Commissioner, is hereby authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Intermediate Credit Commissioner in the event that the Intermediate Credit Commissioner, Deputy Intermediate Credit Commissioner John T. Walker, Jr., Deputy Intermediate Credit Commissioner Arthur C. Sullivan, and Assistant Intermediate Credit Commissioner Martin H. Uelsmann are unavailable to act by reason of absence from the central office of the Farm Credit Administration or for any other cause.

(E.O. 6084, Mar. 27, 1933; 6 CFR 1.1 (m) Memorandum No. 846, Sec. of Agric., Jan. 6, 1940, and sec. 80 (b) 48 Stat. 273; 12 U.S.C. 638 (b))

[SEAL]

A. G. BLACK,  
Governor.

[F. R. Doc. 44-215; Filed, January 5, 1944; 11:23 a. m.]

### TITLE 7—AGRICULTURE

#### Chapter XI—War Food Administration (Distribution Orders)

[FDO 78-89, Amdt. 1]

#### PART 1401—DAIRY PRODUCTS

##### FLUID MILK IN CEDAR RAPIDS, IOWA, SALES AREA

Pursuant to the authority vested in the Director by Food Distribution Order No. 79, dated September 7, 1943 (8 F.R. 12426) as amended, and to effectuate the purposes thereof, Food Distribution Or-

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der No. 79-89, § 1401.125, relative to the conservation of fluid milk in the Cedar Rapids, Iowa, milk sales area (8 F.R. 15473), issued by the Acting Director of Food Distribution on November 6, 1943, is amended as follows:
The expense of administration specified in § 1401.125 (c) of the original order is increased from \$0.01 to \$0.02.
Effective date. This amendment of FDO 79-89, shall become effective at 12:01 a. m., e. w. t., February 1, 1944.
(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)
Issued this 4th day of January, 1944.
Roy F. HENDRICKSON, Director of Food Distribution.
[F. R. Doc. 44-180; Filed, January 4, 1944; 3:45 p. m.]
[FDO 79-90, Amdt. 1]
PART 1401—DAIRY PRODUCTS
FLUID MILK IN WATERLOO, IOWA, SALES AREA
Pursuant to the authority vested in the Director by Food Distribution Order No. 79, dated September 7, 1943 (8 F.R. 12426), as amended, and to effectuate the purposes thereof, Food Distribution Order No. 79-90, § 1401.126, relative to the conservation of fluid milk in the Waterloo, Iowa, milk sales area (8 F.R. 15474), issued by the Acting Director of Food Distribution on November 6, 1943, is amended as follows:
The expense of administration specified in § 1401.126 (c) of the original order is increased from \$0.01 to \$0.02.
Effective date. This amendment of FDO 79-90, shall become effective at 12:01 a. m., e. w. t., February 1, 1944.
(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FDO 79, 8 F.R. 12426, 13283)
Issued this 4th day of January 1944.
Roy F. HENDRICKSON, Director of Food Distribution.
[F. R. Doc. 44-181; Filed, January 4, 1944; 3:45 p. m.]
[FDO 79-109]
PART 1401—DAIRY PRODUCTS
FLUID MILK AND CREAM IN BIRMINGHAM, ALA., METROPOLITAN SALES AREA
Correction
In F. R. Doc. 44-57, appearing on page 143 of the issue for Wednesday, January 5, 1944, the description of the Birmingham milk sales area in paragraph (b) should read as follows:
The city of Birmingham and the territory within the following boundaries and located in Jefferson and Shelby counties, Alabama: * * *

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

### Chapter I—War Food Administration<sup>1</sup>

#### Subchapter A—Meat Inspection Regulations

[B. A. I. Rev. Order 211, Amdt. 18]

#### MEAT INSPECTION

##### ORDER AMENDING REGULATIONS

Pursuant to the authority conferred upon the War Food Administrator by Executive Order No. 9280, of December 5, 1942 (7 F.R. 10179) and Executive Order No. 9322, of March 26, 1943 (8 F.R. 3807) as amended by Executive Order No. 9334, of April 19, 1943 (8 F.R. 5423) and pursuant to the provisions of the Act of Congress approved March 4, 1907 (34 Stat. 1260-1265; 21 U.S.C. 71-91) as amended and extended, Title 9, Chapter I, Subchapter A, Code of Federal Regulations [B.A.I. Order 211, Revised], as amended, is hereby further amended, effective immediately, as follows:

1. Section 1.1 [Reg. 1, sec. 1] is amended by adding the following new paragraph:

(ff) *Division*. The Meat Inspection Division, Livestock and Meats Branch, Food Distribution Administration, War Food Administration.

2. Section 7.5 is amended to read as follows:

§ 7.5 *Overtime work of meat inspection employees*. The management of an official establishment desiring to operate under conditions which will require the services of an employee of the Division on Sunday or a holiday, or for more than eight working hours of any day, shall, sufficiently in advance of the period of overtime, request the inspector in charge or his assistant to provide inspection service during such overtime period, and shall reimburse the Secretary of Agriculture for the cost of such overtime upon receipt of notice from an authorized official of the Department. It will be administratively determined from time to time which days constitute holidays.

3. Section 21.1 [Reg. 21, sec. 1] is amended to read as follows:

§ 21.1 *Appeals from meat inspection actions*. Any appeal from a decision of an employee of the Division shall be made to his immediate superior having jurisdiction over the subject matter of the appeal.

4. Sections 30.3 [Reg. 30, sec. 3] and 7.6 are revoked.

5. By striking out the terms "Director" and "Secretary of Agriculture" wherever they appear in §§ 1.1 (k) [Reg. 1, sec. 1, par. 11] and 1.1 (bb) [Reg. 1, sec. 1, par. 28], Parts 4 [Reg. 4] and 5 [Reg. 5], §§ 6.3 [Reg. 6, sec. 3], and 7.7 [Reg. 7, sec. 5], Parts 8 [Reg. 8], 9 [Reg. 9], 10 [Reg. 10], 13 [Reg. 13], 15 [Reg. 15], 16 [Reg. 16], 17, 18 [Reg. 18], 19 [Reg. 19], 20 [Reg. 20], 22 [Reg. 22], 23 [Reg. 23], and 24 [Reg. 24], § 25.15 [Reg. 25, sec. 12], § 27.6 (b) [Reg. 27, sec. 5, par. 2], § 27.8 [Reg. 27, sec. 7], § 27.17 (a) [Reg. 27, sec. 9, par. 6], § 27.18 [Reg. 27, sec. 10], and Parts 29 [Reg. 29], 30 [Reg. 30],

and 31, as amended, and inserting the words "Chief of Division" in lieu thereof.

6. By striking out the term "Director" wherever it appears in §§ 25.6 [Reg. 25, sec. 6], 25.10 [Reg. 25, sec. 7], 25.11 [Reg. 25, sec. 8], 25.13 [Reg. 25, sec. 10], 25.14 [Reg. 25, sec. 11], and 25.16 [Reg. 25, sec. 13], § 27.6 (f) [Reg. 27, sec. 5, par. 6], §§ 27.7 [Reg. 27, sec. 6], and 27.23 [Reg. 27, sec. 11], as amended, and inserting the words "Chief of the Meat Inspection Division" in lieu thereof.

7. The authority delegated herein to the Chief of the Meat Inspection Division shall be exercised by him under and subject to the supervision of the Chief of the Livestock and Meats Branch and the Director of the Food Distribution Administration. Nothing contained herein shall be construed to abrogate any power or authority vested in the Secretary of Agriculture or the War Food Administrator.

Done at Washington, D. C., this 4th day of January 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

[F. R. Doc. 44-218; Filed, January 6, 1944;  
11:23 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter IX—War Production Board

#### Subchapter A—General Provisions

#### PART 903—DELEGATIONS OF AUTHORITY

[WPB Reg. 1 as Amended Dec. 31, 1943<sup>1</sup>]

#### DELEGATION OF POWERS AND RATIFICATION OF PREVIOUS ACTIONS

§ 903.0 *War Production Board Regulation 1*. (a) The Executive Vice Chairman of the War Production Board may, in his own name, perform the functions and exercise all the powers, authority, and discretion now or hereafter vested in the Chairman of the War Production Board (including the amendment of this Regulation) except those conferred upon the Chairman by Public Law 603, 77th Congress (Smaller War Plants Act).

(b) All actions taken in performance of the functions or in exercise of the powers, authority and discretion now or hereafter vested in the Chairman of the War Production Board which are not taken in the name of the Chairman, or in the name of the Executive Vice Chairman pursuant to paragraph (a) of this Regulation, shall be taken in the name of the War Production Board, countersigned or attested by the Executive Secretary or the Recording Secretary of the War Production Board, except:

(1) Action under Public Law 603 referred to in paragraph (a) of this Regulation, or

(2) Action taken pursuant to paragraphs (c) (d) or (e) of this regulation.

<sup>1</sup> This document is a restatement of Amendment 2 to WPB Regulation 1, as Amended March 24, 1943, which appeared in the FEDERAL REGISTER of January 4, 1944, page C4, and reflects the order in its completed form as of December 31, 1943.

(c) The Chairman, the Executive Vice Chairman, or the Program Vice Chairman of the War Production Board may, in his own name, authorize the following officials to perform such functions and exercise such powers, authority and discretion now or hereafter vested in the Chairman as he may prescribe, either in the name of such officials or otherwise, and subject to such restrictions or conditions as he may impose:

(1) Officials of the War Production Board in its regional and district offices;

(2) Officials of or assigned to the Aircraft Resources Control Office or the Aircraft Scheduling Unit.

(d) The Chairman, the Executive Vice Chairman, or the Program Vice Chairman of the War Production Board may, in his own name, authorize officials of the War Production Board to deny, in whole or in part, either in the name of such officials or otherwise:

(1) An initial application for an allocation of materials or the assignment of a preference rating or any other administrative action which is expressly contemplated by the terms of any order or regulation of the War Production Board.

(2) An appeal from an order, regulation or other action of the War Production Board.

(e) The Chairman, the Executive Vice Chairman, or the Program Vice Chairman of the War Production Board may, in his own name, authorize any agency of the United States Government outside of the War Production Board, or any official of such agency, to perform such functions and exercise such powers, authority and discretion now or hereafter vested in the Chairman as he may prescribe, in such manner and subject to such restrictions or conditions as he may impose.

NOTE: Paragraph (f), formerly (e), redesignated Dec. 31, 1943.

(f) All existing rules, regulations, orders, directives, directions, certificates, delegations of authority and other actions taken by or under authority of the Director General for Operations or of his predecessors, the Director of Industry Operations of the War Production Board or the Director of Priorities of the Office of Production Management, or by or under the authority of the Rubber Director, the Director of War Utilities or the Program Vice Chairman of the War Production Board are hereby ratified and confirmed and shall remain in full force and effect until they expire by their terms or are revoked or amended, and any references therein or in any rule, regulation, order, directive, direction, certificate or other action hereafter issued or taken, to action taken by the

<sup>1</sup> This chapter formerly entitled "Food Distribution Administration."

Director General for Operations, the Director of Industry Operations, the Director of Priorities, the Rubber Director or the Director of War Utilities shall be deemed to be references to action taken pursuant to this regulation, as amended.

Pending the adoption and preparation of revised forms, and until otherwise ordered, rules, regulations, orders, directives, directions, certificates, delegations or other actions hereafter issued or taken in the name of the Director General for Operations, the Rubber Director or the Director of War Utilities in any manner heretofore or hereafter authorized shall be valid for all purposes to the same extent as if issued or taken in the manner prescribed in this regulation as amended.

(E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 31st day of December 1943.

CHARLES E. WILSON,  
Executive Vice Chairman.

[F. R. Doc. 44-182; Filed, January 4, 1944;  
4:47 p. m.]

#### Subchapter B—Executive Vice-Chairman

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

#### PART 1010—SUSPENSION ORDER

[Suspension Order S-474]

C. H. SIMPSON AND SON

Charles H. Simpson and Joseph A. Simpson are co-partners, doing business as C. H. Simpson and Son, with offices at 1819 Carey Avenue, Cheyenne, Wyoming. The business carried on by the firm is that of electrical contractors. Without authorization from the War Production Board, on or about April 23, 1943, C. H. Simpson and Son began construction of a store building or warehouse, in Cheyenne, Wyoming, at a cost of approximately \$4,000.00. This was a violation of Conservation Order L-41. In connection with this construction, C. H. Simpson and Son improperly extended an AA-3 preference rating which the firm had received for government work, and thereby obtained over \$400.00 worth of critical materials to go into this private project. This was a violation of Priorities Regulation No. 3. These violations were admitted by the respondents, and inasmuch as the firm knew that general construction work was restricted by Conservation Order L-41, and in view of the fact that the firm had done considerable work as electrical contractors on government projects which involved the use of the priorities system, the violations must be deemed to have been wilful.

In committing these violations, C. H. Simpson and Son have hampered and

impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing; it is hereby ordered, That:

§ 1010.474 *Suspension Order No. S-474.* (a) Deliveries of material to Charles H. Simpson and Joseph A. Simpson, individually, or doing business as C. H. Simpson and Son or otherwise, their successors or assigns, shall not be accorded priority over deliveries under any other contract or order, except through the extension of preference ratings which were assigned to persons other than the respondent, pursuant to a PD-3-a certificate, or an order in the P-19 or P-55 series, or a CMPL-224 authorization, unless hereafter specifically authorized in writing by the War Production Board.

(b) No allocation or allotment shall be made to Charles H. Simpson and Joseph A. Simpson, individually, or doing business as C. H. Simpson and Son or otherwise, their successors or assigns, of any material or product, the supply or distribution of which is governed by any order or regulation of the War Production Board, unless such allocation or allotment is made in connection with one or more of the certificates, orders or authorizations referred to in paragraph (a) of this order, or unless otherwise hereafter specifically authorized in writing by the War Production Board.

(c) Nothing contained in this order shall be deemed to relieve Charles H. Simpson, Joseph A. Simpson or C. H. Simpson and Son, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 4, 1944, and shall expire on May 4, 1944.

Issued this 28th day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-183; Filed, January 4, 1944;  
4:47 p. m.]

#### PART 3270—CONTAINERS

[Conservation Order M-104, Revocation]

##### CLOSURES FOR GLASS CONTAINERS

Section 3270.37 *Conservation Order M-104* is revoked.

This revocation does not affect any liabilities incurred under the order. The order is superseded by order L-103-b as amended simultaneously with this revocation.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-186; Filed, January 4, 1944;  
4:48 p. m.]

#### PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L-140-b as  
Amended Jan. 1, 1944<sup>1</sup>]

##### FLATWARE AND HOLLOW WARE

§ 3291.176 *General Limitation Order L-140-b—(a) Definitions.* For the purposes of this order:

(1) "Flatware" means knives, forks, spoons and similar implements used for eating or serving food at the table, which have metal blades, tines or bowls as well as handles made of metal. It does not include carving sets or articles of cutlery covered by Order L-140-a, or any order in the L-30 series.

(2) "Hollow ware" means all articles commonly known as hollow ware in the trade, including but not limited to, metal table ware used for serving foods and beverages, and ornamental ware, whether plated or unplated. For example, it includes coffee and teapots, and sets; sugar and cream containers and sets; berry sets, vegetable dishes and servers, gravy boats or bowls and trays, platters, trays of all types and pitchers; vases, bowls of all types, and frames for china, glass or oven-glass dishes of all types; trivets, cocktail shakers, glasses, sets and accessories; plain and vacuum lined ice containers; mustard pots and pepper and salt shakers and sets; candlesticks and candelabra. It does not include flatware or any articles covered by any order in the L-30 series, church goods covered by Order L-136, or electrical appliances covered by Order L-65.

(3) "Manufacturer" means any person engaged in the business of fabricating, assembling or plating any flatware or hollow ware or any parts for such ware. A person who performs no operation except plating on another person's flatware or hollow ware is not a manufacturer.

(4) "Put into process" means to put metal into production for the first time, whether in the form of raw material or in purchased parts. It does not include buffing, wire wheel brushing, burnishing, lacquering or similar finishing of flatware or hollow ware, after plating.

(5) "Preferred order" means any purchase order, contract or subcontract for delivery to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. A purchase order placed with a manufacturer by a distributor or dealer to replace in inventory flatware or hollow ware sold on a preferred order, is also a preferred order. Orders from Post Exchanges, Ships' Service Stores, Officers' and Enlisted Men's Service Clubs on military or naval reservations are not preferred orders.

(6) "Distributor" means any person or firm other than a dealer engaged in the business of selling flatware or hollow ware not manufactured by that firm.

<sup>1</sup> This document is a restatement of Amendment 1 to L-140-b, which appeared in the FEDERAL REGISTER of January 4, 1944, page 70, and reflects the order in its completed form as of January 1, 1944.

(7) "Dealer" means any person who sells flatware or hollow ware at retail to members of the public for home use.

(8) "Type A flatware" means silver plated or chromium plated flatware produced on or after November 5, 1943, conforming to the specifications for Type A flatware on Table A of this order.

(9) "Type B flatware" means silver plated or chromium plated flatware produced on or after November 5, 1943, conforming to the specifications for Type B flatware on Table A of this order.

(10) "Alloy steel flatware" means graded or ungraded flatware produced from alloy steel conforming to the gauges for Type A or Type B flatware on Table A of this order.

(b) *Production and delivery of sterling silver flatware or hollow ware not restricted.* Nothing in this order restricts the production or delivery of sterling silver flatware or sterling silver hollow ware.

(c) *What flatware and hollow ware may be produced.* (1) No manufacturer shall produce any flatware except

(i) For preferred orders;

(ii) Flatware listed on Table A of this order, according to the specifications in that table;

(iii) Gold, silver, and sterling silver flatware;

(iv) Flatware produced from iron and steel in inventory or on order from the mill on November 5, 1943, if the plating specifications in Table A are followed.

(2) No manufacturer shall produce any hollow ware containing metal except

(i) For preferred orders;

(ii) Gold, silver and sterling silver;

(iii) Unalloyed iron or steel put into process before November 5, 1943, if no metal other than gold, silver and chromium is used for plating.

(d) *Production and delivery of flatware for preferred orders.* (1) On or after January 1, 1944, no manufacturer shall produce or deliver any flatware to fill preferred orders except in accordance with quotas specifically approved by the War Production Board on Form WPB-2719 (formerly PD-880).

(2) Each manufacturer must file this form with the War Production Board on or before the 15th day of November, February, May and August, according to instructions accompanying the form.

(e) *Production and delivery of flatware for other than preferred orders.* (1) During the period November 5, 1943, through December 31, 1943, no manufacturer shall put into process in the production of flatware for other than preferred orders in the aggregate more than 35% of the average quarterly amount of iron, steel and other metals in the aggregate used by him in the production of flatware during the period July 1, 1940, through June 30, 1941.

(2) On or after January 1, 1944, no manufacturer shall put into process in the production of flatware for other than preferred orders any iron, steel or alloy steel except in accordance with quotas specifically approved by the War Production Board on Form WPB-2719 (formerly PD-880). This does not apply to sterling silver flatware.

(3) Each manufacturer must file this form with the War Production Board on or before the 15th day of November, February, May, and August, according to instructions accompanying the form.

(f) *General statement of policy.* (1) It will be the general policy of the War Production Board to authorize the total production of flatware other than sterling silver flatware, for both preferred and other orders, according to approved requirements. Production which would exceed such approved requirements will not be authorized. Plants located in critical labor areas as classified by the War Manpower Commission will not be permitted to produce this flatware at a greater rate than their average production in the third and fourth calendar quarters of 1943. Production to meet the requirements determination will be allocated in less critical labor areas to the fullest extent of the available capacity.

The War Production Board will plan to divide total production of this flatware for other than preferred orders into 65% Type A flatware and alloy steel flatware and 35% Type B flatware, and will give notice to each manufacturer of the total and individual authorizations.

(2) The War Production Board will not assign preference ratings on flatware produced for other than preferred orders except on Form WPB-541 (formerly PD-1A) on orders for delivery to governmental agencies, hospitals, and educational and charitable institutions, providing that such flatware is distributed with due regard to established trade connections, needs of distributors or dealers whose usual supply has been cut off or diverted, and increased needs in certain areas. If flatware is not being distributed in this manner, ratings will be issued on WPB-547 (formerly PD-1X) or Form WPB-541 (formerly PD-1A) to take care of special cases.

(g) *Distribution of Type A flatware.* No manufacturer or distributor shall sell any Type A flatware, except

(1) Manufacturers may sell Type A flatware to fill preferred orders.

(2) Manufacturers and distributors may sell Type A flatware to hospitals, or institutions for the aged, sick or poor, prisons, educational institutions, orphanages, hotels, restaurants, canteens, clubs, cafeterias, lunch rooms, lunch counters, and similar eating places including those operated by common carriers.

(3) Manufacturers and distributors may sell Type A flatware to distributors or for export.

(4) Manufacturers and distributors may sell Type A flatware to Post Exchanges, Ships' Service Stores, Officers' and Enlisted Men's Service Clubs on military or naval reservations for use on the premises but not for resale by them.

(5) Distributors may sell Type A flatware to fill preferred orders only if they receive permission from the War Production Board in writing.

(h) *Distribution of Type B flatware.* No manufacturer or distributor shall sell any Type B flatware, except

(1) Manufacturers and distributors may sell Type B flatware to distributors, dealers for export, or direct to members of the public buying for home use.

(2) Manufacturers or distributors may sell Type B flatware to fill preferred orders only if they receive permission from the War Production Board in writing.

(i) *Distribution of alloy steel flatware.* No manufacturer or distributor shall sell any alloy steel flatware, except

(1) Manufacturers may sell alloy steel flatware to fill preferred orders.

(2) Manufacturers and distributors may sell alloy steel flatware to distributors or to the establishments and organizations enumerated in paragraph (g) (2).

(3) A manufacturer or distributor may not sell any alloy steel flatware for export.

(4) Distributors may sell alloy steel flatware to fill preferred orders only if they receive permission from the War Production Board in writing.

(j) *Special provisions concerning distribution of all flatware.* (1) No manufacturer or distributor shall sell any flatware produced after June 30, 1942 (except sterling silver flatware) for distribution free or for a nominal consideration in connection with advertising sales promotion or other similar plan.

(2) No manufacturer who has made flatware or hollow ware to fill a preferred order and cannot use it for that purpose because of overruns, rejects, cancellation of the order or any other reason shall sell it except to fill a preferred order unless he receives permission from the War Production Board on Form WPB-1319 (Formerly PD-556).

(3) No manufacturer intending to produce either Type A, Type B or alloy steel flatware for other than preferred orders, who because of some unexpected mechanical difficulty, produces flatware which does not conform to the specifications in Table A for Type A, Type B or alloy steel flatware, shall transfer or distribute such flatware, unless he receives permission of the War Production Board to make delivery after applying on Form WPB-1319 (formerly PD-556).

(k) *Repairs not limited by this order.* This order and Table A do not in any way limit the repair, plating or refinishing of used or shopworn flatware or hollow ware.

(l) *Reports.* On or before December 1, 1943, each manufacturer of flatware shall file by letter in duplicate with the War Production Board, Washington 25, D. C., Ref: L-140-b a report showing the total amount of all flatware, other than sterling silver flatware produced by him during the period January 1, 1943 through November 15, 1943, for both preferred and other orders, in dozens or gross. This report shall list knives separately from all other items of flatware. This reporting requirement has been approved by the Bureau of the Budget, in accordance with the Federal Reports Act of 1942.

(m) *Applicability of other orders and regulations.* This order and all transactions affected by this order are sub-



ject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of flatware and hollow ware to a greater extent than does this order, the other order shall govern unless it states otherwise.

(n) *Appeals.* Any appeal from this order should be made on Form WPB-1477 (formerly PD-500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(o) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(p) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall,

unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-140-b.

Issued this 1st day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

TABLE A

*Definitions.* (1) "Graded", as applied to forks or spoons, means articles which have been shaped through mechanical processes so that the thickest portion of the handle is in the shank with a taper in thickness toward the tip of the handle and toward the tip of the bowl of the spoon or tines of the fork.

(2) "Ungraded", as applied to forks or spoons, means articles which have not been graded.

(3) "Significant surfaces" for the purpose of Table A means all surfaces of the pieces of flatware except those between the tines of the forks, the tips of the tines or the cutting edges of the knives.

*Specifications.*

Knife. Straight blade or grill. With or without bolsters. Handles of two-piece knives must be firmly secured to blade without solder. Blades must be of .60 to .80 carbon steel or of alloy steel within the limits of the restrictions on alloy steel in this table.

*Type of plating used*

Silver-plated flatware..... "Steel-S. P."  
Chromium-plated flatware..... "Steel-C. P."

It must also bear markings indicating the manufacturer's identity. These markings may be either the manufacturer's name or its abbreviation, a registered trade mark or any other symbol which he notifies the War Production Board he intends to use.

[F. R. Doc. 44-187; Filed, January 4, 1944; 4:47 p. m.]

PART 3291—CONSUMERS DURABLE GOODS<sup>1</sup>

[Limitation Order L-98 as Amended  
Dec. 31, 1943<sup>2</sup>]

DOMESTIC SEWING MACHINES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron and steel and other materials for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.280<sup>1</sup> *General Limitation Order L-98—(a) Definitions.* For the purposes of this order:

(1) "Domestic sewing machine" means any sewing machine designed for household use.

(2) "Attachment" means any special purpose detachable device which is designed for use with a domestic sewing machine but which is not essential to the most simplified operation of such machine.

(3) "Sewing machine part" means any part (including, but not limited to, a needle, an electric motor, a cabinet, a portable base, a cover, a table or a stand) of a domestic sewing machine, but does not include an attachment.

(4) "Attachment part" means any part of an attachment.

(5) "Repair part" means any sewing machine part used for the purpose of repairing or replacing a similar part which through wear, tear or damage has caused a domestic sewing machine to become unfit to perform its function of sewing in the most simplified manner. Repair part shall not include any attachment part.

(6) "To produce a new domestic sewing machine" means to complete the manufacturing operations on a new domestic sewing machine other than the final assembly of the machine head into a cabinet, portable base and cover, or table and stand.

(7) "Manufacturer" means any person who produces any new domestic sewing machine or who manufactures or assembles any sewing machine part, attachment or attachment part.

(8) "Restricted period" means the period from April 25, 1942 to June 15, 1942, inclusive.

(9) "Average daily production" or "average daily manufacture" means the

<sup>1</sup> Formerly Part 1192, § 1192.1.

<sup>2</sup> This document is a restatement of Amendment 1 to L-98, as Amended June 5, 1943, which appeared in the FEDERAL REGISTER of January 4, 1944, page 68, and reflects the order in its completed form as of December 31, 1943.

	Type A or alloy steel		Type B or alloy steel (ungraded only)
	Graded	Ungraded	
Fork, dessert size (flat handle only with uniformly spaced tines). Dessert spoon.....	Finished weight not lighter than 11½ pounds per gross. Tines shall taper uniformly to a point. Finished weight not lighter than 11½ pounds per gross. Bowls must taper uniformly from center to tip.	Not lighter than .085 inch. Not lighter than .065 inch.	Not lighter than .065 inch. Not lighter than .055 inch.
Teaspoon.....	Finished weight not lighter than 7½ pounds per gross. Bowls must taper uniformly from center to tip.	Not lighter than .065 inch.	Not lighter than .050 inch.

A manufacturer may produce plated flatware in either Type A or Type B or both and may produce alloy steel flatware. Type A or alloy steel forks and spoons may be either graded or ungraded; Type B shall be ungraded only.

*Patterns.* No manufacturer shall produce more than a total of two different patterns in Type A flatware and the same two patterns in alloy steel flatware and two patterns in Type B flatware. No new patterns shall be made up in any type of flatware. Whenever two patterns are used, one must be a plain or Windsor pattern. Any other pattern of ungraded flatware used must be of a simple design so constructed as to reinforce the shanks of spoons and forks.

*Restrictions on alloy steel.* Alloy steel used in the manufacture of alloy steel flatware shall be alloy steel as defined in Order M-21-a, which was in his inventory on November 5, 1943, or obtained by him on a special sale as defined in Priorities Regulation 13.

*Flatware blanks.* All steel for forks and spoons shall be cold rolled strip or sheet steel. All flatware blanks shall be made in one piece except knives, which may be made of two pieces at the manufacturer's option. On all significant surfaces all flatware before plating shall have a smooth finish, at least equal to a greased No. 220 emery finish. Angles between adjoining significant surfaces shall have a rounded contour without sharp edges.

*Metal coatings.* Metal coatings may be either silver or chromium within the following limits:

*Silver plating.* All silver-plated flatware shall be plated with an undercoating of

nickel of an average thickness of .0002 inch. In addition, a manufacturer may use a copper-silver strike in accordance with the provisions of Conservation Order M-9-c. The average thickness of the whole metal coating, including the silver and nickel undercoating shall be not less than .001 inch on Type A flatware and not less than .0005 inch on Type B flatware. All significant surfaces on all pieces must have a minimum thickness of coating equal to at least 60% of the above standards. The final silver coating shall have a uniform finish in accordance with regular commercial standards, and shall be brushed or butler finish only.

*Chromium plating.* Chromium-plated Type A flatware shall be plated with an undercoating of nickel of an average thickness of .0002 inch. All significant surfaces and all pieces shall have a minimum thickness of nickel undercoating equal to at least 50% of the above standards. No chromium-plated Type B flatware shall have any metal strike or undercoating. The average thickness of the chromium plating on any flatware, excluding undercoating when used, shall be not less than .00002 inch or more than .00004 inch.

*Markings.* All flatware produced under this table must bear markings indicating the type of flatware and plating used, which shall be substantially as follows:

*Type of flatware*

Type A flatware..... "o"  
Type B flatware..... "oo"  
Alloy steel flatware..... "Stainless"

total production or manufacture within a specified period divided by the number of days (including Sundays and holidays) contained in such period.

(10) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(b) *General restrictions.* (1) During the restricted period no manufacturer shall:

(i) Produce more new domestic sewing machines than 75% of his average daily production of such new machines in the year 1940 multiplied by the number of days (including Sundays and holidays) in the restricted period; or

(ii) Manufacture more new attachments of any type than 75% of his average daily manufacture of new attachments of such type in the year 1940 multiplied by the number of days (including Sundays and holidays) in the restricted period.

(2) No manufacturer shall manufacture any new sewing machine parts except that during the year 1944 a manufacturer may produce sewing machine parts for use as repair parts under the following conditions:

(i) He may put into process in the manufacture of needles not more iron and steel than 75% of the iron and steel, by weight, contained in the needles manufactured by him during the two-year period ending December 31, 1941;

(ii) He may put into process in the manufacture of sewing machine parts (other than needles) not more iron and steel than 62½% of the iron and steel, by weight, contained in the sewing machine parts (other than needles) manufactured by him for use as repair parts during the two-year period ending December 31, 1941; and

(iii) He may not put into process any non-ferrous metal except that copper and copper base alloy may be used for the purpose of conducting electricity, provided that he does not put into process more copper and copper base alloy than 50% of the amount of copper and copper base alloy, by weight, used for the purpose of conducting electricity in the sewing machine parts produced by him for use as repair parts during the two-year period ending December 31, 1941.

(3) No manufacturer shall on and after May 25, 1942, and no person other than a manufacturer shall on and after July 15, 1942, install any new sewing machine part, other than a repair part, in a new or used domestic sewing machine, except to complete the new domestic sewing machines, the production of which is permitted under the terms of paragraph (b) (1).

(4) On and after June 16, 1942, no manufacturer shall:

(i) Produce any new domestic sewing machines or (except as provided in paragraph (b) (5) of this order) assemble any new sewing machine parts for the production of such machines; or

(ii) Manufacture or assemble any new attachments or new attachment parts.

(5) Nothing in the foregoing provisions shall limit the final assembly by a

manufacturer or any other person of a new domestic sewing machine head into a cabinet, portable base and cover, or table and stand: *Provided*, That such head, cabinet, base and cover, or table and stand were not produced or manufactured in violation of the terms of this or of any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board.

(6) Manufacturers shall sell materials in their inventory only in accordance with the provisions of Priorities Regulation No. 13 (Part 944) and all other applicable orders and regulations.

(c) *Restrictions on transfer of domestic sewing machines.* On and after June 5, 1943, no manufacturer of domestic sewing machines shall transfer the physical possession of or title to:

(1) Any domestic sewing machines except in accordance with a letter of authorization from the War Production Board to be issued prior to June 14, 1943, which letter will permit the transfer without restriction of all domestic sewing machines other than those specified in paragraph (c) (2) below.

(2) Any domestic sewing machines which are required by the Army or Navy of the United States, the War Shipping Administration, the United States Maritime Commission or for lend-lease and export purposes. The domestic sewing machines not released by the letter of authorization referred to in paragraph (c) (1) above are to be held for transfer to the persons or for the purposes specified in this paragraph (2). In order to obtain a release for any of such domestic sewing machines, a specific authorization of the War Production Board is required on Form WPB-1319 (formerly Form PD-556) pursuant to an application filed on said Form. In completing Form PD-556 manufacturers are to supply all information requested in section I. Under section II fill in (a) and (e). Do not fill in (b), (c), (d) and (f). Under Section III fill in only (1) (B) and (5). Disregard (1) (A), (2), (3), (4), (6), (7) and (8).

(d) *Inventory restrictions.* No manufacturer shall accumulate for use in the manufacture of domestic sewing machines, attachments, or parts thereof inventories of raw materials, semi-processed materials, or finished parts in quantities in excess of the minimum amount necessary to maintain production of domestic sewing machines, attachments, or parts thereof at the rates permitted by this order.

(e) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(f) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(g) *Reports.* Each manufacturer to whom this order applies shall file with the War Production Board such reports and questionnaires as such board shall from time to time prescribe.

(h) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(i) *Appeals.* Any appeal from the provisions of this order shall be filed on Form PD-500 with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(j) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board limits the use of any material in the production of domestic sewing machines, attachments, sewing machine parts or attachment parts to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(k) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumer Durable Goods Division, Washington, D. C., Ref.: L-98.

Issued this 31st day of December 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-183; Filed, January 4, 1944;  
4:47 p. m.]

#### PART 955—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 7, Interpretation 1]

#### PREFERENCE RATING MUST BE FURNISHED BY THE BUYER

The following interpretation is issued with respect to Priorities Reg. 7:

Paragraph (f) of Priorities Regulation No. 7, which permits a seller to waive the buyer's certification where he knows the facts, does not allow the seller to rate an order which the buyer has not attempted to rate. If the buyer has stated the rating on the order but has not certified it, the seller may add the appropriate certification; and if the buyer has not shown the rating on the order, but has otherwise informed the seller that he wishes to apply or extend the rating, the seller may also insert it on the order.

Issued this 5th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-211; Filed, January 5, 1944;  
11:11 a. m.]

PART 3287—GOVERNMENT SERVICES<sup>1</sup>

[Preference Rating Order P-141, as Amended  
Jan. 5, 1944]

PUBLIC SANITARY SEWERAGE FACILITIES—  
MAINTENANCE, REPAIR AND OPERATING SUP-  
PLIES

§ 3287.26<sup>1</sup> *Preference Rating Order P-141—(a) Definitions.* For the purpose of this order:

(1) "Operator" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not, located in the United States, its territories, or possessions, engaged in or constructing facilities for the purpose of engaging in, the operation of a public sanitary sewerage system or a public sanitary sewerage system combined with a storm sewerage system, whether or not such operator has applied the preference ratings herein assigned.

(2) "Controlled material" means steel—both carbon (including wrought iron) and alloy—copper (including copper base alloys) and aluminum, in each case only in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(3) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(4) "Maintenance" means the minimum upkeep necessary to continue an operator's property and equipment in sound working condition.

(5) "Repair" means the restoration of an operator's property and equipment to sound working condition after wear and tear, damage, destruction of parts or the like, have made such property or equipment unfit or unsafe for service.

(6) "Operating supplies" means:

(i) Material which is essential to the operation of the system specified in paragraph (a) (1) and which is generally charged to operating expense account.

(ii) Material for an addition to or an expansion of sewerage system or works, other than buildings, provided that such an addition or expansion shall not include any work order, job, or project, in which the cost of material shall exceed \$1,500 in the case of underground sewer or pipeline addition or extension, and \$500 in the case of any other addition or expansion and provided that no single construction project shall be subdivided into parts in order to come below these limits.

(7) Material for "maintenance", "repair" and "operating supplies" includes any material which is essential to minimum service standards, and does not include material for the improvement of an operator's property or equipment through the replacement of material which is still usable.

(8) "Supplier" means any person with whom a purchase order or contract has been placed for delivery of material to an operator, or to another supplier.

(9) "Calendar quarterly period" means the several three months of the year commencing January 1, April 1, July 1,

and October 1, or the operator's customary accounting period closest to such period.

(10) "Inventory" means all new or salvaged material in the operator's possession, unless physically incorporated in plant, without regard to its accounting classification, excluding, however, material which is segregated for use in additions and expansions specifically authorized under paragraph (g) (2) of this order or by an operative preference rating order or certificate issued by the War Production Board.

(b) *Preference ratings.* A preference rating of AA-1 is hereby assigned to orders to be placed by an operator for material to be used for maintenance or repair, and for operating supplies.

NOTE: Paragraph (2) deleted Jan. 5, 1944.

(c) *Controlled materials—*(1) *Steel and copper.* Subject to the quantity restrictions contained in paragraph (f) of this order, any operator requiring delivery of any controlled material, except aluminum, for maintenance, repair or operating supplies, may obtain the same by placing on his delivery order the certification required in paragraph (e) (1) (i) hereof. An order bearing such certification shall constitute an authorized controlled material order.

(2) *Aluminum.* (i) Any operator requiring aluminum in any of the forms or shapes constituting a controlled material, for essential maintenance, repair or operating supplies, where the use of other materials for the purpose is impracticable, may obtain the same from a controlled materials producer or from a distributor specifically authorized by the War Production Board to engage in the business of receiving aluminum for sale or resale, in an amount not to exceed 100 pounds from all sources during any one calendar quarterly period by placing on his delivery order the certification required in paragraph (e) (1) (i) hereof. An order bearing such certification shall constitute an authorized controlled material order.

(ii) Any operator who requires aluminum in any of the forms or shapes constituting a controlled material, in amounts aggregating more than 100 pounds from all sources during any one calendar quarterly period for use as essential maintenance, repair or operating supplies where the use of other material for such purpose is not practicable, may apply for an allotment of the amount thereof in excess of 100 pounds during any one calendar quarterly period by letter addressed to the Aluminum and Magnesium Division, War Production Board, Washington 25, D. C., Ref: P-141. The letter should contain substantially the information called for by paragraphs (d) (1) to (6) of Supplementary Order M-1-1, as amended March 10, 1943. If the application is granted, the applicant will receive an allotment number or symbol and may place an authorized controlled material order by endorsing an order with such allotment number or symbol and the certification prescribed in paragraph (e) (1) (i) hereof.

(d) *Restrictions on use of symbol and ratings.* (1) The allotment symbol and preference ratings hereby assigned shall not be used by an operator or supplier to obtain deliveries of scarce material, the use of which could be eliminated without serious loss of efficiency by substitution of less scarce material or by change of design.

(2) The preference ratings assigned by paragraph (b) hereof for maintenance, repair and operating supplies shall not be used to obtain any item included in Lists A or B of Priorities Regulation No. 3.

(e) *Application and extension of ratings; application of CMP allotment symbol—*(1) *Certification.* The AA-1 rating assigned by paragraph (b) of this order and the CMP allotment symbol MRO-P-141 may be applied by an operator to deliveries of material for use in maintenance, or repair, or as operating supplies only by use of a certification in substantially the following form:

Preference Rating AA-1, CMP Allotment Symbol MRO-P-141. The undersigned purchaser certifies, subject to the penalties of Section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that to the best of his knowledge and belief the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

-----  
Name of operator

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Signature of designated official

Such certification shall be signed manually or as provided in Priorities Regulation No. 7.

NOTE: Paragraph (2), formerly (3), redesignated Jan. 5, 1944.

(2) The ratings assigned by this order may be extended by a supplier in the manner provided in Priorities Regulation No. 3, and CMP Regulation No. 3.

(f) *Restrictions on deliveries, inventory and withdrawals—*(1) *Deliveries and withdrawals.* No operator shall, during any calendar quarterly period, accept delivery of any material or withdraw from inventory any material, to be used for maintenance or repair or as operating supplies or for any other purpose (except material to be segregated for use in extensions specifically authorized under paragraph (g) (2) of this order or by an operative preference rating order or certificate issued by the War Production Board), the aggregate dollar value of which shall exceed the aggregate dollar value of materials used for maintenance or repair or as operating supplies, during the corresponding calendar quarterly period of the year 1942, or at the operator's option, twenty-five per cent of the aggregate dollar value of materials used for said purpose during the operator's fiscal year ending closest to December 31, 1942.

(2) *Inventory.* No operator shall at any time, accept delivery of any material if the operator's inventory will, by

<sup>1</sup> Formerly Part 3209, § 3209.1.



virtue of such acceptance, be in excess of a practical working minimum.

(3) *Exceptions.* The provisions of paragraph (f) (1) of this order are subject to the following exceptions:

(i) An operator who, during the calendar year 1942 (or fiscal year ending closest to December 31, 1942), used for maintenance, repair, and as operating supplies, materials of the aggregate value of not exceeding \$1,000 and whose estimated requirements for materials to be used for maintenance, repair and as operating supplies during any calendar year (or corresponding fiscal year) do not exceed \$1,000 may, during such year, exceed the quantity restrictions prescribed by paragraph (f) (1) of this order. If the actual requirements of material for maintenance, repair and operating supplies for such year should prove to be in excess of \$1,000, such operator shall not accept any deliveries of material or withdraw from inventory any material to be used for maintenance, repair or as operating supplies if such deliveries or withdrawals, when taken together with other deliveries or withdrawals within such year, would, in the aggregate, exceed \$1,000. In such case the operator may apply for specific authorization to exceed such quantity restrictions pursuant to the provisions of paragraph (f) (4) hereof.

(ii) An operator may, in any calendar quarterly period, increase scheduled deliveries, and withdrawals of material required for maintenance or repair or as operating supplies over the limits prescribed in paragraph (f) (1) of this order, in proportion to the increase in the load on the system during the preceding calendar quarterly period of the year 1942 corresponding to the calendar quarterly period in question, determined by a measurement of the average daily flow for the two comparative periods: *Provided*, That in determining the average daily flow of sewage, any flow of surface storm water which enters the system shall not be taken into account.

(iii) An operator may, in any calendar quarterly period, accept deliveries of material or make withdrawals from inventory of material, necessary for the maintenance or repair of the operator's property or equipment which is damaged by acts of the public enemy, sabotage, explosion, or fire or by flood, storm or other similar climatic conditions: *Provided*, That if the restrictions of paragraph (f) (1) are exceeded because of such deliveries or use, a full report thereof shall be made within thirty days after such delivery or withdrawal, to the War Production Board.

(iv) An operator may, in any calendar quarterly period, accept delivery of material, having in the aggregate, a dollar value of not more than the dollar value of material of the same class taken from the operator's inventory for delivery to other persons authorized to accept delivery under applicable regulations of the War Production Board but only if, and to the extent that such taking has reduced the operator's inventory of material below a practical working minimum.

(v) An operator may, during any calendar year (or his fiscal year), withdraw from inventory, material, having in the aggregate, a dollar value of not more than the dollar value of usable material of the same class salvaged from plant during such year.

(vi) The provisions of paragraph (f) (1) and (f) (2) shall not apply to fuel or to chemicals for sewage treatment.

(4) The War Production Board, on its own initiative, or on application of any operator by letter, in triplicate, addressed to the Government Division, War Production Board, Washington 25, D. C., Ref: P-141, may modify the limitations on practical working minimum inventory, and on scheduling or accepting deliveries, or on use or withdrawals, set forth in this paragraph (f).

(g) *Restrictions on construction of sewerage facilities.* No operator shall construct any sewerage facilities, including but not limited to sewer pipelines, manhole structures, pumping stations, sewage disposal or treatment plants and connections, and no operator shall, in case of contract construction, accept deliveries of material for such purposes except as follows:

(1) An operator may construct an addition to or an expansion of, sewerage system or works, other than buildings: *Provided*, That such addition or expansion shall not include any work order, job or project in which the cost of material shall exceed \$1,500 in the case of underground sewer pipeline addition or extension, and \$500 in the case of any other addition or expansion: *And provided*, That no single construction project shall be subdivided into parts in order to come below these limits: *And further provided*, That in making house connections or extension of line to serve premises, no iron or steel pipe shall be used except the minimum quantities required in making necessary connections.

(2) An operator may construct an extension of sewerage facilities, other than buildings, to serve premises which are being built or remodeled under authority of any Preference Rating order of the P-55 series, a specific authorization issued pursuant to Conservation Order L-41 or pursuant to any Petroleum Administrative Order issued by the Petroleum Administrator for War if all of the following conditions are satisfied:

(i) The cost of material for such extension does not exceed \$5,000 (but exceeds \$1,500 in the case of underground sewer pipeline extension or \$500 in the case of any other extension).

(ii) The extension does not duplicate an adequate service already installed.

(iii) No other operator can render the same service with lesser amounts of critical material.

(iv) The extension will not cause an overload on system including sewage disposal plants.

(v) The operator has completed Form WPB-3445 and delivered it to the builder

of the premises to be served for attachment to the builder's application for L-41 approval. Preference ratings and allotment number to acquire material required for such extensions are assigned by paragraph (h) of this order.

(3) In addition to the authorization contained in paragraphs (g) (1) and (g) (2) an operator may construct sewerage facilities of any kind if such construction is specifically authorized by the War Production Board. Application should be made on Form WPB-617 (formerly PD-200) or on such other form as may be prescribed. The following preference rating orders or certificates include permission for construction under this order although they do not say so: P-19-h, CMPL-127, CMPL-224. In all other cases a preference rating is not enough unless the instrument which assigns the rating also states that construction is permitted. However, any operator who prior to January 15, 1944, has been specifically authorized in writing by the War Production Board to use the lowest rating assigned to a rated project to obtain material to construct sewerage facilities to serve such project may use such rating to obtain material required for that purpose within the limits of said authorization.

(h) *Assignment of preference rating and CMP allotment symbol for extensions authorized under paragraph (g) (2).* (1) The preference rating AA-3 is hereby assigned to orders for material other than controlled material, and the abbreviated allotment number P-141-S2 is hereby assigned to orders for controlled material to be placed by an operator for use in the construction of extensions of facilities authorized by paragraph (g) (2) of this order or to replace in inventory material so used.

(2) The preference ratings and allotment number assigned by paragraph (h) (1) may be applied by an operator by using the certification provided in CMP Regulation No. 7. An order for controlled material bearing such certification and allotment number shall constitute a controlled material order.

*Note:* Paragraphs (i), (j), (k), (l), (m) and (n), formerly (h), (i), (j), (k), (l), and (m), redesignated Jan. 5, 1944.

(i) *Sales of material from inventory.* Any operator may sell to another operator, material from seller's inventory in excess of a practical minimum working inventory: *Provided*, That (1) a preference rating of AA-5 or higher assigned by this order or by any preference rating certificate, or (2) a specific direction issued by the War Production Board, is applied or extended to the operator selling such material.

(j) *Audits and reports.* (1) Each operator and each supplier who applies

the preference ratings or allotment symbol hereby assigned, and each person who accepts a purchase order or contract for material to which a preference rating or symbol is applied, shall submit from time to time to an audit and inspection by duly authorized representatives of the War Production Board.

(2) Each operator and each such supplier shall execute and file with the War Production Board, such reports and questionnaires as said Board shall from time to time request, subject to approval by the Bureau of the Budget as required under the Federal Reports Act.

(3) Each operator shall maintain a continuing record of inventory and of segregated material in his possession and all material used by him for maintenance, repair or as operating supplies.

(k) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed by the War Production Board, be addressed to the War Production Board, Government Division, Washington 25, D. C., Ref: P-141.

(l) *Violations.* Any person who willfully violates any provisions of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(m) *Revocation or amendment.* This order may be revoked or amended at any time as to any operator or any supplier. In the event of revocation, deliveries already rated pursuant to this order shall be completed in accordance with said rating, unless the rating has been specifically revoked with respect thereto. No additional applications of the ratings to any other deliveries shall thereafter be made by the operator or supplier affected by such revocation.

(n) *Applicability of regulations.* (1) Preference Rating Order P-141 is issued in lieu of Preference Rating Order P-46 in so far as it affects public sanitary sewerage systems as defined in paragraph (a) (1) hereof and any reference in any order or regulation of the War Production Board to said Preference Rating Order P-46 shall constitute a reference to orders in the P-141 series.

(2) This order and all transactions affected hereby, except as herein otherwise provided, are subject to all applicable regulations of the War Production Board as amended from time to time, *Provided*, That none of the provisions of CMP Regulations No. 5 or No. 5A shall apply to operators as defined in paragraph (a) (1) hereof, and no such operator shall obtain any material under the provisions of either of said regulations.

Issued this 5th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-210; Filed, January 5, 1944;  
11:11 a. m.]

#### PART 3302—SERVICE EQUIPMENT<sup>1</sup>

[General Limitation Order L-54-c, as  
Amended Jan. 5, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain materials used in the production of office machinery for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3302.11<sup>2</sup> *General Limitation Order L-54-c—(a) Definitions.* For the purposes of this order:

(1) "Office machinery" means machinery, including attachments thereto, of the type included in Lists I, II and III attached to this order as they may be amended from time to time.

(2) "New" office machinery means office machinery which has not been delivered to any person acquiring it for use. The term shall not describe any machine which has been delivered for trial, loan, rental or demonstration at any time prior to March 14, 1942. "Used" office machinery means office machinery other than new office machinery.

(3) "Restricted" office machinery" means:

(1) Any new office machinery included in List I.

NOTE: Subparagraph (3) (ii), formerly (3) (iii), redesignated Jan. 5, 1944.

(ii) Any used punched card tabulating machinery which is in, or which hereafter comes into, the possession of its manufacturer for any purpose other than mere repair or reconditioning, regardless of its age.

(4) "Manufacturer" means any person manufacturing new office machinery or sets of parts, to the extent that he is engaged in such manufacture, and shall include majority-owned sales, distribution, and manufacturing subsidiaries.

(5) "Dealer" means any wholesaler, retailer or other distributor of restricted office machinery other than a sales or distribution subsidiary of a manufacturer, and shall include any person, firm or corporation normally receiving restricted office machinery on consignment.

(6) "Delivery" means any physical transfer of restricted office machinery, and includes transfers for trial, loan, rental, demonstration or other use.

(7) "Army", "Navy" and "Maritime Commission" mean the War Department, the Navy Department, and the Maritime Commission, respectively, but shall not include any privately operated plant, shipyard, training school, or other enterprise controlled or financed by the Army, Navy, Maritime Commission, or any other agency of the United States Government, nor any plant or shipyard privately operated on a cost-plus-fixed-fee basis under the control or direction of the Army, Navy, Maritime Commission, or any other agency of the United States Government.

(8) "Lend-Lease purchaser" means any person requesting authorization to receive delivery of restricted office machinery for export to any country, the government of which is entitled to the

<sup>1</sup> Formerly Part 1112, § 1112.4.

benefits of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States."

(9) "Sets of parts" means parts for office machinery produced at plants in the United States for shipment to foreign countries for assembly into new office machinery of the types included in List I.

(10) "Dollar value" means

(i) With respect to assembled new office machinery, the retail list price of such machinery to customers located in the United States;

(ii) With respect to sets of parts, the retail list price to customers located in the United States of the number of units of assembled machinery into which such sets of parts can be assembled.

(11) "Non-electric" machines are machines which are assembled without electric motors and which are not designed for the addition of electric motors at a future time.

(12) [Deleted Jan. 5, 1944]

(b) *Restrictions on production—(1) List I items.* A manufacturer may produce new office machinery included in List I, and sets of parts for export, only to fill orders approved by the War Production Board on Form WPB-1688 and Form WPB-2798 certificates, and also to maintain an inventory worth up to 20 per cent of the dollar value of similar machinery billed to customers and sets of parts exported during the calendar year 1941. This means that unless a manufacturer's inventory is below the 20 per cent figure he may not produce for inventory, even to replace what he has delivered from inventory to filled approved orders. Dollar value figures must be used in calculating production for inventory, unless the manufacturer has customarily leased his product instead of selling it. In that case, the manufacturer may base his production for inventory on the number of machines assembled and the number of sets of parts exported during 1941.

NOTE: Paragraphs (2), (4), (5) and (6), formerly (4), (5), (6) and (7); redesignated Jan. 5, 1944.

(2) *List II items.* No manufacturer shall fabricate, cause to be fabricated, or contract to purchase, parts for the assembly of any new office machinery included in List II and no manufacturer shall assemble any new office machinery included in List II.

(3) No manufacturer may buy any steel under paragraph (d) (4) of CMP Regulation No. 4 for use in the fabrication or assembly of new office machinery listed in List III.

(4) *Repair and service parts.* The restrictions upon the manufacturer of new office machinery contained in this paragraph (b) shall not apply to the manufacture of parts to be used to service or repair any kind of office machinery included in Lists I and II.

(5) *Discontinued new office machinery.* No manufacturer shall fabricate parts for any new office machinery or assemble any new office machinery of any

kind which he has elected to deliver free of all restrictions pursuant to paragraph (g) of this order.

(6) *Special authorizations.* Notwithstanding the restrictions of paragraph (b) or paragraph (g) of this order, the War Production Board may from time to time in writing specifically authorize one or more manufacturers to fabricate, to cause to be fabricated, to contract to purchase, to assemble, or to manufacture in any manner, specified quantities of parts or machinery restricted by paragraph (b) or paragraph (g) or both.

(c) *Restrictions on delivery.*—(1) *General restrictions.* Regardless of the terms of any contract of sale or purchase, or other commitment, or of any preference rating, or any preference rating order, no manufacturer or dealer shall deliver any restricted office machinery or sets of parts therefor (other than machines which may be delivered free of restrictions pursuant to an election under paragraph (g) of this order) except upon receipt of and pursuant to the terms of Form WPB-2798 (respecting deliveries to the Army, Navy or Maritime Commission or sets of parts for export) or Form WPB-1688 (respecting deliveries to all other persons) approved by the War Production Board.

(2) *Sequence of deliveries.* Except when specifically directed otherwise in writing by the War Production Board, the sequence of deliveries of machines authorized on Forms WPB-2798 and WPB-1688 shall be determined by the delivery dates specified on such forms. If a form specifies a delivery date prior to the date on which it is received by the supplier named therein, the form shall be treated by the supplier as calling for delivery on the day when it was received by him. If a supplier receives two or more forms specifying the same delivery date for identical machines, he shall make delivery of the machines in the order in which the forms were received by him.

(3) *Intracompany deliveries.* Without further authorization, a manufacturer may for the purpose of redelivery, but not for use, deliver restricted office machinery from one branch, division or section of his enterprise, including majority-owned sales, distribution and manufacturing subsidiaries, to another branch, division or section of the same enterprise, including majority-owned sales, distribution and manufacturing subsidiaries, except that he may not deliver to a subsidiary, branch, or other outlet located outside the United States, its territories, and possessions.

(4) *Delivery to dealers and returns to manufacturers.* Without further authorization, dealers may return restricted office machinery to any manufacturer willing to accept the same and manufacturers may accept all such restricted office machinery from dealers. Without further authorization, manufacturers or dealers may deliver restricted office machinery to dealers in the following instances only:

(i) To fill an order approved by the War Production Board on Form WPB-2798 or WPB-1688 already received by

such dealer or to replace restricted office machinery delivered by such dealer from his inventory to fill an order approved by the War Production Board on any such form, *Provided*, That such dealer has furnished to the manufacturer or to the other dealer a photostat, or other certified copy, of the approved Form WPB-2798 or WPB-1688, as provided in Priorities Regulation No. 5.

(ii) To store or display such restricted office machinery on the dealer's premises in the United States, its territories and possessions, provided that the restricted office machinery so stored or displayed is in the absolute control and ownership of the manufacturer or delivering dealer and may be removed, transferred or shipped by such manufacturer or delivering dealer at any time in his discretion.

(5) *Deliveries under Utilities Order U-5.* The issuance of an authorization on Form WPB-2798 or on Form WPB-1688 to deliver a time stamp machine, a time recording machine, or collateral equipment shall constitute a preference rating of AA-5 or higher within the meaning of § 4504.1, Utilities Order U-5, for the particular items authorized to be delivered.

(6) *Special authorizations.* Notwithstanding the restrictions of paragraph (c) of this order, the War Production Board may from time to time in writing specifically authorize one or more manufacturers or dealers, or both, to deliver specified quantities of restricted office machinery.

(7) *Deliveries of non-electric machines by manufacturers.* Manufacturers may deliver non-electric adding machines and non-electric duplicating machines to the extent permitted by paragraphs (c) (1) to (c) (6) of this order, inclusive (e. g., to fill an Army, Navy or Maritime Commission order pursuant to the terms of an approved Form WPB-2798, or to fill an order for export pursuant to an approved Form WPB-1688). In addition, in each calendar quarter and without further authorization, a manufacturer may deliver to purchasers within the United States, other than the Army, the Navy and the Maritime Commission, new assembled non-electric adding machines and new assembled non-electric duplicating machines worth not more than the applicable percentage of the same type of machines (both electric and non-electric) billed to his customers during the calendar year 1941. Any portion of this amount undelivered by the end of any quarter may be delivered free of restrictions during subsequent quarters to domestic purchasers, other than the agencies named, in addition to the percentage which the manufacturer is regularly entitled to deliver.

The percentage applicable to unrestricted deliveries of non-electric adding machines is in the first table. The percentages applicable to unrestricted deliveries of non-electric duplicating

machines by manufacturers who make only non-electric duplicating machines are in the second table. The percentages applicable to unrestricted deliveries of non-electric duplicating machines by manufacturers who make both electric and non-electric duplicating machines are in the third table:

TABLE No. 1

Manufacturer's total 1941 adding machine billings:	Applicable percentage per quarter (per cent)
Any amount.....	4.5

TABLE No. 2

Manufacturer's total 1941 duplicating machine billings:	Applicable percentage per quarter (per cent)
Under \$50,000.....	25
\$50,000 to \$100,000.....	18.75
\$100,000 to \$250,000.....	15
Over \$250,000.....	6.25

TABLE No. 3

Manufacturer's total 1941 duplicating machine billings:	Applicable percentage per quarter (per cent)
Under \$100,000.....	12.5
\$100,000 to \$500,000.....	10
\$500,000 to \$2,000,000.....	7.5
\$2,000,000 to \$4,000,000.....	2.5
Over \$4,000,000.....	2

(8) *Deliveries of non-electric machines by dealers.* Dealers may deliver new non-electric adding machines and new non-electric duplicating machines to the extent permitted by paragraphs (c) (1) to (c) (6) of this order, inclusive (e. g., to fill an Army, Navy or Maritime Commission order pursuant to the terms of an approved Form WPB-2798, or to fill an order for export pursuant to an approved Form WPB-1688). In addition, without further authorization dealers may deliver new non-electric adding machines and new non-electric duplicating machines to purchasers within the United States, other than the Army, the Navy, and the Maritime Commission.

(d) *Special procedures and information.* (1) Private contractors engaged in construction work for the Army, Navy, Maritime Commission or Defense Plant Corporation, and private operators of any plant, shipyard, training school or other enterprise controlled or financed, on a cost-plus-fixed-fee basis or otherwise, by the Army, Navy, Maritime Commission or any other agency of the United States Government shall, when requesting restricted office machinery on Form WPB-1688, furnish a certification by the Government inspector assigned to the project (1) that no Government equipment is available for use in lieu of the equipment requested, (2) that the contractor or operator has no equipment available from any other source for use in lieu of the equipment requested, and (3) that the equipment requested is to be used exclusively by the contractor's or operator's private personnel for the duration of the project on work which

the contractor is required to perform under the terms of his contract.

(2) [Deleted Jan. 5, 1944]

(3) [Deleted Jan. 5, 1944]

(4) [Deleted Jan. 5, 1944]

(e) Sets of parts. (1) No person shall deliver any sets of parts for export from the United States unless the War Production Board has authorized such delivery on Form WPB-2798. Application for authority to export sets of parts shall be made on Form WPB-2798 and shall indicate therein or by accompanying letter the number of units of new office machinery into which such sets of parts can be assembled, the model numbers of such machinery and the retail price of such machinery to customers located in the United States. Nothing in this order shall be construed to authorize any exportation without an export license.

(2) No manufacturer manufacturing and delivering sets of parts for export shall directly or indirectly import any new office machinery of the kind listed in List I, except by permission of the War Production Board in writing.

(f) Reports. Each manufacturer must send a monthly report to the War Production Board on Form WPB-1263. Separate reports must be made on this form with regard to non-electric adding machines and non-electric duplicating machines.

(g) Election to cease manufacture and to deliver without restrictions. Any manufacturer who prefers to cease manufacture of any particular kind, model or type of new office machinery and to obtain authorization to deliver his existing stock of such machinery free of the restrictions of this order, rather than to continue manufacture and delivery of such machinery subject to the terms of this order, may make application for authorization to make unrestricted delivery. Such application must set forth the kind, model or type of new office machinery to which the application relates, the model or style numbers of such machinery, the applicant's inventory of such machinery as of the date of the application and the total dollar value of such inventory. Such authorization shall extend to the manufacturer to whom it is addressed and to any dealer possessing stocks of such kind, model or type of machine; and such manufacturer shall notify his dealers of any authorization received under this paragraph.

Nothing in this paragraph (g) shall be construed to entitle any applicant to disregard any provisions of this order until specific authorization of the War Production Board in writing is received by such applicant and then only to the extent of, and subject to the conditions contained in, such authorization.

(h) Bureau of the Budget approval. Form WPB-2798, Form WPB-1688, Form WPB-1263 and the form of application for authorization to make unrestricted delivery of new office machinery contained in paragraph (g) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(j) Appeals. Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) Applicability of regulations. This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(l) Communications. All communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Service Equipment Division, Washington 25, D. C., Ref.: L-54-c.

Issued this 5th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST I

NOTE: List I amended Jan. 5, 1943.

1. Accounting machines, bookkeeping machines, and billing machines (accounting principle). Also continuous forms handling machines type-writer principle, having carbon paper handling devices constructed as an integral part of the machine, and collateral equipment, except autographic registers.
2. Adding machines.
3. Addressing machines, including but not limited to embossing machines for plates, and stencil-cutting machines embodying typewriter principle.
4. Calculating and computing machines.
5. Duplicating machines, including but not limited to ink ribbon, gelatin, spirit, stencil and reproducing typewriter principle machines and Multilith and Davidson duplicators.
6. Machines and collateral equipment intended for use for dictating purposes.
7. Microfilm machines designed for office functions.
8. Office composing machines (changeable type, changeable horizontal and vertical spacing, uniform impression).
9. Payroll denominating machines.
10. Punched card tabulating and accounting machines.
11. Time recording machines except watchmen's clocks.

12. Time stamp machines.
13. Combination dictating and telephone recording equipment.

#### LIST II

1. Autographic registers.
2. Cash (registering) machines.
3. Change making machines.
4. Check cancelling machines.
5. Check cutting machines.
6. Check dating machines.
7. Check endorsing machines.
8. Check numbering machines.
9. Check protecting machines.
10. Check signing machines.
11. Check sorting machines.
12. Check writing machines.
13. Coin counting machines.
14. Coin sorting machines.
15. Coin wrapping machines.
16. Currency counting machines.
17. Envelope contents folding machines.
18. Envelope handling machines.
19. Envelope mailing machines.
20. Envelope opening machines.
21. Envelope sealing machines.
22. Envelope stuffing machines.
23. Mail room folding machines.
24. Perforating machines (marking and cancelling).
25. Postal permit mailing machines.
26. Post office cancelling machines.
27. Shorthand writing machines.
28. Stamp affixing machines.

#### INTERPRETATION 2

(1) An authorization to deliver restricted office machinery, issued on Form WPB-1688 or on Form WPB-2798, is not a preference rating certificate within the meaning of Interpretation No. 6 of Priorities Regulation No. 3. Accordingly, that interpretation is inapplicable to such authorizations.

(2) If permission to deliver office machinery is granted on Form WPB-2798 or on Form WPB-1688, the only person to whom the supplier may deliver the machinery is the applicant named in the form. Moreover, the supplier named in the form is the only manufacturer or dealer who is authorized to deliver the machinery to the applicant. However, other manufacturers and dealers may deliver the machinery described in the form to the supplier named in the form pursuant to paragraph (c) (4) (1) of Order L-54-c.

(3) Form WPB-1688 requires the applicant to state the "name of manufacturer" of the machinery to be delivered. This is an essential part of the description of the machinery which the War Production Board authorizes the supplier to deliver pursuant to paragraph (c) (1) of Order L-54-c. The supplier may not deliver to the applicant machinery produced by another manufacturer, even though his product is similar to the machinery produced by the manufacturer named in the form WPB-1688 approved by the War Production Board. (Issued Nov. 9, 1943.)

[F. R. Doc. 44-209; Filed, January 5, 1944;  
11:11 a. m.]

#### PART 1112—OFFICE MACHINERY

[General Limitation Order L-54-c, Revocation of Interpretation 1]

Interpretation 1 has been superseded by subsequent amendments.

Issued this 5th day of January 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-219; Filed, January 5, 1944;  
11:57 a. m.]

## Chapter XI—Office of Price Administration

## PART 1351.—FOOD AND FOOD PRODUCTS

[RMFR 444]

## COTTONSEED OIL MEAL, CAKE, SIZED CAKE AND PELLETS; COTTONSEED HULLS AND HULL BRAN; AND WHOLE PRESSED COTTONSEED

Maximum Price Regulation 444 is redesignated Revised Maximum Price Regulation 444 and is revised and amended to read as hereafter set forth.

In the judgment of the Price Administrator, the maximum prices established by this revised regulation are generally fair and equitable and comply with all provisions and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of E. O. 9250 and E. O. 9328.

Insofar as this revised regulation may use specifications and standards which were not, prior to such use, in general use in the trade or industry affected or insofar as their use was not lawfully required by another Government Agency, the Administrator has determined with respect to such standardization that no practical alternative exists for securing effective price control with respect to the commodities subject to this revised regulation.

A statement of the considerations involved in the issuance of this revised regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

§ 1351.364 *Maximum prices for cottonseed oil meal, cake, sized cake and pellets; cottonseed hulls and hull bran; and whole pressed cottonseed.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order 9250 and Executive Order 9328, Revised Maximum Price Regulation 444 (Cottonseed oil meal, cake, sized cake and pellets; cottonseed hulls and hull bran; and whole pressed cottonseed) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1351.364 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 FR. 7871; E.O. 9328, 8 FR. 4681.

## REVISED MAXIMUM PRICE REGULATION 444—COTTONSEED OIL MEAL, CAKE, SIZED CAKE AND PELLETS; COTTONSEED HULLS AND HULL BRAN; AND WHOLE PRESSED COTTONSEED

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## Sec.

1. Geographical applicability.
2. Effect of maximum prices.
3. Definitions.
4. Maximum prices for sale of domestic cottonseed oil meal, cake, sized cake and pellets other than specified in section 5 hereof by processors.
5. Maximum prices for sale of domestic cottonseed oil meal, cake, sized cake or pellets owned or under contract by a processor or produced from cottonseed owned or under contract by a processor on July 31, 1943.

\*Copies may be obtained from the Office of Price Administration.

## Sec.

6. Maximum prices for the sale of domestic cottonseed hulls and hull bran by processors.
7. Maximum prices for the sale of domestic whole pressed cottonseed by processors.
8. Maximum prices for the sale of domestic cottonseed oil meal, sized cake or pellets by grinders.
9. Maximum prices for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by jobbers.
10. Maximum prices for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or whole pressed cottonseed by recognized handlers.
11. Maximum prices for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by wholesalers.
12. Maximum prices for sales of domestic cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by retailers.
13. Maximum prices for sales of imported cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed.
14. Maximum prices in other cases.
15. Increases for sacks.
16. Sales of cottonseed oil meal, cake, sized cake or pellets or whole pressed cottonseed on basis of guaranteed minimum percentage of protein and adjustment for deficiencies.
17. Maximum prices for export sales.
18. Adjustable pricing.
19. Evasion.
20. Records and reports.
21. Enforcement.
22. Protests and petitions for amendment.

SECTION 1. *Geographical applicability.*

This regulation shall apply to all sales, whether for immediate or future delivery, within the 48 states and the District of Columbia of the United States of imported and domestic cottonseed oil meal, cake, sized cake and pellets; cottonseed hulls and cottonseed hull bran; and whole pressed cottonseed, whether produced from domestic or imported cottonseed.

SEC. 2. *Effect of maximum prices.*

(a) While this regulation remains in effect, regardless of any contract or obligation, no person shall in the course of trade or business, sell, deliver, buy or receive any cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or cottonseed hull bran or whole pressed cottonseed at prices above the maximum prices established by this regulation; nor shall any person agree, offer, solicit or attempt to do any of the foregoing.

(b) However, prices lower than the maximum prices established by this regulation may be charged and paid.

SEC. 3. *Definitions.* When used herein the following terms shall have the following meanings:

"Person" means an individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing, and includes the United States or any other government or any political subdivision or agency of any of the foregoing.

"Processor" is a person who processes cottonseed by expeller, extraction or hy-

draulic process into cottonseed oil and cottonseed oil cake or meal, sized cake, pellets, cottonseed hulls, hull bran and linters and whole pressed cottonseed.

"Grinder" is a person who buys cottonseed oil cake or whole pressed cottonseed and processes or procures the processing of the same into cottonseed oil meal, sized cake or pellets and sells such oil meal, sized cake or pellets. It includes a processor who buys cottonseed oil cake or whole pressed cottonseed and processes the same into cottonseed oil meal, sized cake or pellets and sells such oil meal, sized cake or pellets.

"Cottonseed oil meal, cake (or loose slab cake), sized cake, pellets and whole pressed cottonseed" refer to the products produced by a processor or grinder from cottonseed as above described. The cottonseed used must not contain screenings or other foreign materials except in such quantities as might have occurred in good production practice as in vogue prior to price control. Further, screenings or other foreign materials must not be added to the meal or cake, sized cake or pellets after the crushing of the oil from the cottonseed.

"Cottonseed hulls and hull bran" refer to the by-products produced by a processor from cottonseed as above described.

"Recognized handler" means any person other than a processor regularly engaged in the business of growing, purchasing and selling cottonseed.

"Jobber" is a person other than a processor, grinder, recognized handler or retailer who distributes cottonseed oil meal, cake, sized cake, pellets, cottonseed hulls and hull bran or whole pressed cottonseed owned by him without unloading into a warehouse.

"Wholesaler" is a person who buys cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed, unloads it into a warehouse and resells the same to a retailer or a person who processes the same further. It does not include a recognized handler.

"Retailer" is a person who buys cottonseed oil meal, cake, sized cake, pellets, cottonseed hulls and hull bran, or whole pressed cottonseed, receives it at his place of business and resells the same in less than carload lots to feeders. It does not include a processor or grinder selling at retail at the plant where the product is produced or off-cars at other points nor a recognized handler.

"Feeder" is a person who feeds any cottonseed, oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed to animals or poultry.

"Carload lot" means a lot of cottonseed oil meal, cake, sized cake or pellets or whole pressed cottonseed of 30 tons or more and for cottonseed hulls or hull bran the minimum established in official railroad tariffs.

"Pool car lot" means a railroad car lot in which two or more buyers have combined for the purpose of obtaining a carload rail freight rate.



"Less than carload lot" means a quantity other than a carload or pool car lot, and includes truck quantities.

"Transportation charges" shall be computed at:

(a) The lowest common carrier rate (including the 3 percent tax provided for in section 620 of the Revenue Act of 1942, as amended) for the billing or shipment in question; or

(b) If there is no such rate, the reasonable value of the service (including said 3 percent tax, if any) not exceeding any maximum price established therefor.

Sec. 4. *Maximum prices for sale of domestic cottonseed oil meal, cake, sized cake and pellets, other than specified in section 5 hereof by processors.* (a) The maximum prices for the sale and delivery of domestic cottonseed oil meal and sized cake (other than that specified in section 5 hereof) per ton, in carload lots or pool car lots, bulk, 41 percent up to 43 percent of protein, at production plant, by a processor shall be as follows:

State where production plant is located:	Maximum price
Mississippi-----	\$45.00
Tennessee-----	45.50
Arkansas (counties of Arkansas, Clay, Craighead, Crittenden, Cross, Greene, Jackson, Lawrence, Lee, Mississippi, Monroe, Phillips, Poinsett, Randolph, St. Francis and Woodruff)-----	45.50
Arkansas (other points)-----	46.00
Missouri-----	46.00
Illinois-----	46.25
Louisiana-----	46.00
Oklahoma-----	47.00
Texas (exclusive of El Paso)-----	47.00
Texas (El Paso)-----	48.00
Alabama-----	46.00
Georgia-----	46.50
Florida-----	46.50
South Carolina-----	47.00
North Carolina-----	47.50
New Mexico-----	48.00
Arizona-----	48.00
California-----	48.00
Any other state—The maximum price of the state wherein is located the production plant nearest to the plant in question.	

(b) The foregoing maximum prices shall be decreased at the rate of 75 cents per ton for a like sale and delivery of a like quality of cottonseed oil cake.

(c) The maximum prices specified in paragraph (a) of this section shall be increased at the rate of \$1.50 per ton for a like sale and delivery of a like quality of cottonseed oil meal pellets.

(d) The foregoing maximum prices shall be decreased for the sale of lots of cottonseed oil meal, cake, sized cake or pellets containing less than 41 percent protein at the rate of 75 cents per ton for each 1 percent or fraction thereof of protein below 41 percent of protein.

(e) The foregoing maximum prices shall be increased at the rate of \$2.00 per ton for the sale of any lot of cottonseed oil meal, cake, sized cake or pellets containing 43 percent or more of protein.

(f) The foregoing maximum prices shall be increased at the rate of \$1.00 per ton for a sale of any cottonseed oil meal, cake, sized cake or pellets in a less than carload lot.

(g) The foregoing maximum prices shall be increased for a sale and delivery of any cottonseed oil meal, cake, sized cake or pellets by a processor at any point other than the plant where produced by transportation charges from said production plant to such point by a usual route and method of transportation.

Sec. 5. *Maximum prices for sale of domestic cottonseed oil meal, cake, sized cake or pellets owned or under contract by a processor from cottonseed of the 1942 crop owned or under contract by a processor on July 31, 1943.* (a) The maximum price for the sale and delivery of domestic cottonseed oil meal, cake, sized cake or pellets, which is owned or under contract by a processor or which is produced from cottonseed of the 1942 crop owned or under contract by a processor on July 31, 1943, per ton, in carload lots or pool car lots, bulk, 41 percent up to 43 percent of protein at production plant, by a processor shall be \$2.00 per ton more than the minimum trade prices specified in Schedule A of the processor contract, 1942 Cottonseed Program, of the Commodity Credit Corporation, except that in the case of sales by processors located in the States of New Mexico, Arizona and California such maximum price shall be \$3.00 per ton, \$4.00 per ton, and \$5.00 per ton, respectively, more than the minimum trade prices specified in said Schedule A.

(b) The foregoing maximum prices shall be increased at the rate of \$1.00 per ton for a sale of any cottonseed oil meal, cake, sized cake or pellets in a less than carload lot.

(c) The maximum prices established by this section shall be applicable to all processors irrespective of whether or not the above named processor contract is in effect.

Sec. 6. *Maximum prices for the sale of domestic cottonseed hulls and hull bran for processors.* (a) The maximum price for the sale of domestic cottonseed hulls, per ton, bulk, by the processor shall be \$12.00 per ton for sales in carload lots, and \$13.00 per ton for sales in less than carload lots, plus transportation charges from plant where produced to the buyer's receiving point by a usual route and method of transportation.

(b) The foregoing maximum prices shall be increased at the rate of \$4.00 per ton for a sale of any cottonseed hull bran.

Sec. 7. *Maximum prices for the sale of domestic whole pressed cottonseed by a processor.* (a) The maximum prices for the sale of domestic whole pressed cottonseed containing 28 per cent or more of protein shall be \$7.00 per ton less the maximum prices established for the sale of cottonseed oil meal and sized cake of 41 per cent protein, and the same amount may be added thereto for sales in less than carload lots and for transportation charges from production point to another point where the product is sold and delivered.

(b) The foregoing maximum prices shall be decreased for the sale of lots of whole pressed cottonseed containing less than 28 per cent protein at the rate of

75 cents per ton for each 1 per cent or fraction thereof of protein below 28 per cent of protein.

Sec. 8. *Maximum prices for the sale of domestic cottonseed oil meal, sized cake or pellets or whole pressed cottonseed by grinders.* (a) The maximum price for the sale or delivery of cottonseed oil meal, sized cake or pellets by a grinder shall be the maximum price of the processor (from whom the cottonseed oil cake was obtained) for a like sale of such oil meal, sized cake or pellets plus an addition at the rate of 50 cents per ton plus actual or reasonable transportation charges, if any, incurred by the seller in respect to the lot sold.

(b) Where a processor makes a sale as a grinder, the burden shall always rest upon him to establish by clear evidence that he in fact actually performed the functions of a grinder.

Sec. 9. *Maximum prices for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by jobbers.* The maximum price for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by a jobber shall be:

(a) 75 cents per ton (maximum markup) for all sales in carload lots; and less than carload lots.

(b) \$1.00 per ton (maximum markup) for sales in pool car lots, over the maximum price which he could lawfully have paid a processor or grinder for the quantity or quality of the commodity as purchased by him and which he is reselling plus transportation charges actually incurred by the seller in respect to the lot sold.

Sec. 10. *Maximum prices for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or whole pressed cottonseed by recognized handlers.* The maximum prices for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or whole pressed cottonseed by recognized handlers shall be:

(a) In the case of sales to feeders, other recognized handlers and to all other persons the maximum prices of the processor as set forth in section 4 hereof; plus transportation charges actually incurred in respect to the lot sold.

Sec. 11. *Maximum prices for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by wholesalers.* The maximum price for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by a wholesaler shall be:

(a) \$2.50 per ton (maximum markup) for sales of cottonseed oil meal, cake, sized cake, pellets or whole pressed cottonseed; and

(b) \$2.00 per ton (maximum markup) for sales of cottonseed hulls or hull bran, over the maximum price which he could lawfully have paid the processor, grinder, or jobber for the quantity or quality purchased (from out of which lot the sale in question is made) delivered at his warehouse, in either case plus transportation charges actually incurred by the

seller from said warehouse to the buyer's receiving point.

**SEC. 12. Maximum prices for sales of domestic cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by retailers.** The maximum price for the sale of domestic cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by a retailer shall be:

(a) \$5.50 per ton (maximum markup) for sales of cottonseed oil meal, cake, sized cake, pellets or whole pressed cottonseed; and

(b) \$4.00 per ton (maximum markup) for sales of cottonseed hulls or hull bran over the maximum price which he could lawfully have paid the processor, grinder, jobber or wholesaler for the quantity and quality purchased (from out of which lot the sale in question is made) delivered at his receiving point, in either case plus transportation charges actually incurred by the seller from his receiving point to his buyer's receiving point.

**SEC. 13. Maximum prices for sales of imported cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed.** (a) The basic maximum price, f. o. b. the port of entry, for the sale (within the 48 states and the District of Columbia of the United States) of any imported cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls shall be the maximum price for a like sale by a processor of a like quantity and quality of the domestic product produced at that domestic production plant located nearest the port of entry: *Provided*, That:

(1) If the port of entry is located in Oregon or Washington said maximum price for such sale thereof shall be the maximum price for a sale by a processor of a like quantity and quality of the domestic product f. o. b. production plant at San Francisco, California; or

(2) If the port of entry is not located in a state specifically named in section 4 (a) hereof or in Oregon or Washington said basic maximum price for such sales thereof shall be the maximum price for a like sale by a processor of a like quantity and quality of the domestic product f. o. b. production plant at Memphis, Tennessee.

(b) Jobbers, wholesalers and retailers making sales (within the 48 states and the District of Columbia of the United States) of any such imported products shall add their respective permitted markups as provided as to domestic products over the maximum price of the imported products as provided in paragraph (a) of this section.

(c) A mixed feed manufacturer in determining his maximum prices under Maximum Price Regulation 378 on his mixed feed for animals and poultry shall calculate his "cost" of any such imported products at the maximum price thereof as above provided if he purchased the same within the 48 states and the District of Columbia of the United States; and if he did not, then at the maximum price thereof as specified in paragraph (a) of this section.

**SEC. 14. Maximum prices in other cases.** (a) The maximum price for the sale of any cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed by any other person of a class of seller not hereinbefore specifically provided for shall be the maximum price which the person from whom he purchased could lawfully have charged for a like sale.

(b) Notwithstanding any other provision of this regulation, sales between persons of one of the classes of sellers hereinbefore specifically provided for shall be permissible: *Provided*, That no such sales, nor sales to a person of a different class, shall be at a higher price than the maximum price hereinbefore specifically prescribed for said class of sellers.

**SEC. 15. Increases for sacks.** When any seller has bulk domestic or imported cottonseed oil meal, cake, sized cake or pellets or cottonseed hulls or hull bran or whole pressed cottonseed and desires to sell the same sacked, the foregoing maximum prices where determined on a bulk basis shall be increased at the following rates per ton:

(a) For sales of cottonseed oil meal, cake, sized cake or pellets or whole pressed cottonseed:

(1) In seller's sacks, the reasonable market value of the sacks, not exceeding any maximum price thereon at the time of the sale or delivery: *Provided*, That if the sacks were purchased from the buyer by the seller, the seller shall not charge more than the price he paid for such sacks.

(2) In buyer's new or recleaned sacks, \$0.50.

(3) In buyer's sacks of any other kind, \$1.00.

(b) For sales of cottonseed hulls and hull bran:

(1) In seller's sacks, the reasonable value of the sacks not exceeding any maximum price thereon plus 75 cents per ton for sacking at the time of the sale or delivery.

**SEC. 16. Sales of cottonseed oil meal, cake, sized cake or pellets or whole pressed cottonseed on basis of guaranteed minimum percentage of protein and adjustment for deficiencies.** (a) No person shall sell any domestic or imported cottonseed oil meal, cake, sized cake or pellets or whole pressed cottonseed except on the basis of a specified guaranteed minimum percentage of protein therein.

(b) If an actual analysis of any lot of domestic or imported cottonseed oil meal, cake, sized cake or pellets or whole pressed cottonseed differs from the guaranteed minimum percentage of protein therein then:

(1) If above said guaranteed minimum percentage of protein, no increase in the maximum price is permitted.

(2) If below said guaranteed minimum percentage of protein, the deficiency shall be adjusted and settled in accordance with the applicable rules of the National Cottonseed Crushers Association and the resulting figure is the adjusted maximum price thereof.

**SEC. 17. Maximum prices for export sales.** The maximum prices for export sales of cottonseed oil meal, cake, sized cake, or pellets or cottonseed hulls or hull bran or whole pressed cottonseed shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.<sup>1</sup>

**SEC. 18. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

**SEC. 19. Evasion.** The provisions of this regulation shall not be evaded whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of any commodity covered by this regulation alone or in connection with any other commodity or by way of commission, service, transportation or other charge, or discount, premium or other privilege or by tying-agreement or other trade understanding or otherwise.

**SEC. 20. Records and reports.** (a) Every seller subject to this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect his customary records including, if any, all bills, invoices and other documents relating to every sale or delivery of cottonseed oil meal, cake, sized cake, or pellets or cottonseed hulls or hull bran or whole pressed cottonseed after the effective date of this regulation.

(b) Upon demand every such seller shall submit such records to the Office of Price Administration and keep such further records as the Office of Price Administration may from time to time require.<sup>2</sup>

**SEC. 21. Enforcement.** Persons violating any provision of this regulation are subject to the license revocation or suspension provisions, civil enforcement actions, suits for treble damages, and criminal penalties as provided in the Emergency Price Control Act of 1942, as amended.

<sup>1</sup> 8 P.R. 4132, 5337, 7632.

<sup>2</sup> Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 22. *Protests and petitions for amendment.* Any person desiring to file a protest against or seeking an amendment of any provisions of this regulation may do so in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

SEC. 23. *Sales by the Commodity Credit Corporation.* Notwithstanding any other provision of this regulation, any cottonseed oil meal, cake, sized cake or pellets purchased by the Commodity Credit Corporation from a processor at not more than the maximum prices established in section 5 hereof, or other wise acquired by such Corporation, may be sold and delivered by such Corporation, acting directly or through such other person as it may designate, at not more than the maximum prices established in section 4 hereof.

This regulation shall become effective January 10, 1944.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of January 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-146; Filed, January 4, 1944;  
12:07 p. m.]

#### PART 1381—SOFTWOOD LUMBER [MPR 94,<sup>1</sup> Amdt. 10]

##### WESTERN PINE AND ASSOCIATED SPECIES OF LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 94 is amended in the following respects:

1. In § 1381.501, paragraph (c) is deleted.

2. In § 1381.504, paragraph (b) is deleted, together with the phrase "including imports" in the section heading.

3. Section 1381.522 is amended to read as follows:

§ 1381.522 *Appendix J Maximum prices for lumber produced in the "fringe area" and Canada and Mexico.* (a) For lumber produced in the fringe area, in Canada, or in Mexico (except as covered by paragraph (c) of this section) which is separated as to species and sold on grade, the maximum prices shall be delivered prices consisting of the f. o. b. mill prices set forth in the appropriate price tables plus an amount equal to estimated railroad freight charges based on estimated weights from Appendix K

times the carload rate from the appropriate basing-point shown below to destination. ("Destination" means the final point to which the lumber moves in "direct-mill shipment" as defined in § 1381.502 (a) (1)) The basing points are:

(1) *Fringe area.* (South Dakota, Wyoming, Colorado, Utah, Nevada, Arizona, New Mexico, and that part of California within or south of the counties of Monterey, San Benito, Fresno, Madera, and Inyo)

Spokane, Washington; Klamath Falls, Oregon; or Susanville, California—whichever produces the lowest rate to destination.

(2) *Canada:* Spokane, Washington.

(3) *Mexico:* Susanville, California.

(b) Since the maximum prices established by paragraph (a) of this Section are delivered prices, no transportation additions other than "basing-point" freight to destination are permitted, and § 1381.504 does not apply. In every case the maximum price must finally be determined according to paragraph (a) above as a delivered price at final destination. As to pricing "f. o. b. mill" note the following examples—(1) In a sale to a distribution yard at the mill's shipping point, since shipping point and final destination are the same, the addition for basing-point freight may be made even though the sale has all the usual characteristics of a sale "f. o. b. mill" (2) If a wholesaler should buy "f. o. b. mill" and sell the lumber for direct-mill shipment, his maximum price is the price at final destination established under paragraph (a) and therefore the f. o. b. mill price which he pays would be less than the price receivable by the mill in example (1) depending

upon the difference between the through rate from basing-point to destination and the combination of locals from basing-point to mill and mill to destination.

(c) *Government purchase; Mexican pine lumber.* The maximum price for lumber produced in Mexico and imported for the account of or for direct sale to a United States Government agency or to a government contractor to whom such lumber has been allocated by C. P. A., shall be a price f. o. b. the port of entry consisting of the maximum f. o. b. mill price set forth in the appropriate price tables plus estimated railroad freight charges from Susanville, California to the port of entry, computed on the car load rate and using estimated weights given in Appendix K. Additions for further transportation beyond the port of entry may be made in accordance with § 1381.504.

This amendment shall become effective January 10, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of January 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-150; Filed, January 4, 1944;  
12:11 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,<sup>1</sup> Amdt. 12]

Schedule A of the Rent Regulation for Hotels and Rooming Houses is amended by adding item (371) to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which regulation statement to be filed (inclusive)
(371) Puerto Rico.....	Puerto Rico.....	Puerto Rico.....	Oct. 1, 1942	Feb. 1, 1944	Mar. 31, 1944

This amendment shall become effective February 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-151; Filed, January 4, 1944;  
12:10 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,<sup>2</sup> Amdt. 15]

##### HOUSING IN PUERTO RICO

Rent Regulation for Housing is amended in the following respects:

<sup>1</sup> 8 F.R. 14663, 14815, 15585, 16032, 16208, 16427.

1. Section 7 is amended by adding a new paragraph (d) to read as follows:

(d) *Housing in Puerto Rico Defense-Rental Area.* The provisions of this section 7 (d) shall be substituted for the provisions of section 7 (a) for housing accommodations in the Puerto Rico Defense-Rental Area.

On or before the date specified in Schedule A of this regulation, or within 30 days after the property is first rented, whichever date is the later, every landlord of housing accommodations rented or offered for rent shall file in the area rent office a form provided by the area rent office for this purpose. The form shall identify each dwelling unit and shall specify the maximum rent provided by this regulation for such dwelling unit and shall contain such other information as the Administrator shall require.

(1) *Notice of "maximum rent."* The landlord shall prepare the form known

<sup>2</sup> 8 F.R. 14676, 14814, 15581, 16032, 16207, 16427.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 10848; 8 F.R. 859, 1138, 4118, 7352, 8009, 8758, 11040, 12136, 12296, 12878.

<sup>2</sup> 7 F.R. 8961; 8 F.R. 3313, 3533, 6173.

as "Notice of Maximum Rent" if the maximum rent for the dwelling unit is determined under paragraph (a) of section 4. The landlord shall prepare the notice in duplicate and shall send one copy to the tenant and one copy to the area rent office.

(2) *Registration statement.* The landlord shall prepare the form known as "Registration Statement" if the maximum rent for the dwelling unit is determined under any paragraph of section 4 other than paragraph (a), (g), or (h). The landlord shall prepare the Registration Statement in triplicate and shall send the three copies to the area rent

office. The Administrator shall retain one copy on file, and he shall cause one copy to be delivered to the tenant and one copy, stamped to indicate that it is a correct copy of the original, to be returned to the landlord.

(3) *Change in tenancy.* Within five days after renting to a new tenant, the landlord shall file a form provided by the area rent office for this purpose. The landlord shall state the maximum rent for the dwelling unit, and he shall obtain the new tenant's signature on this form.

2. Schedule A is amended by adding item (371) to read as follows:

Name of defense-rental area	State	County or counties in defense-rental area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(371) Puerto Rico.....	Puerto Rico.....	Puerto Rico.....	Oct. 1, 1942	Feb. 1, 1944	Mar. 31, 1944

This amendment shall become effective February 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-152; Filed, January 4, 1944;  
12:10 p. m.]

#### PART 1401—SYNTHETIC TEXTILE PRODUCTS (2d Rev. MPR 339)

##### WOMEN'S RAYON HOSIERY

Revised Maximum Price Regulation 339 is redesignated Second Revised Maximum Price Regulation 339 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this Second Revised Maximum Price Regulation 339 has been issued simultaneously herewith and filed with the Division of the Federal Register.\* In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942. Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1401.101 *Women's rayon hosiery.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Second Revised Maximum Price Regulation 339 (Women's Rayon Hosiery) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1401.101 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

\*Copies may be obtained from the Office of Price Administration.

No. 4—3

#### SECOND REVISED MAXIMUM PRICE REGULATION 339—WOMEN'S RAYON HOSIERY

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SECTION 1. *Ceiling prices fixed by this regulation.* This regulation fixes ceiling prices for all sales of women's rayon hosiery in the finished state or in the greige.

(a) *Finished women's rayon hosiery.* The ceiling prices for sales at retail, sales at wholesale and sales by manufacturers of finished women's rayon hosiery are set forth below in Tables I, II and III of Appendix B. Table I applies to full-fashioned hosiery. Table II applies to circular knit hosiery. Table III applies to certain special constructions.

As used in this regulation, finished women's rayon hosiery includes women's and misses' full length hosiery of less than 45 inches in length, the leg of which is made in whole or in part of rayon. It does not include hosiery in which the leg is made of rayon in combination with silk, wool or nylon.

(b) *Women's rayon hosiery in the greige.* The ceiling prices for any sale of women's rayon hosiery in the greige are fixed at \$1.25 per dozen less than the manufacturers' ceiling prices for first quality finished unbranded women's hosiery as set forth in Appendix B.

As used in this regulation, women's rayon hosiery in the greige include the same kind of hosiery described in paragraph (a) except that they are in the greige rather than the finished state.

SEC. 2. *Types of sales.*—(a) *Sales at retail.* A sale at retail is a sale to an ul-

timate consumer. Also, sales to industrial, commercial or institutional users are sales at retail if made by a person who sells principally at retail. If not made by such a person, then they are either sales at wholesale or sales by manufacturers.

(1) *"Chain stores."* Certain sellers at retail are classified as "chain stores." As used in this regulation a chain store means a group of five or more commonly owned or controlled retail stores which, as a group, had in any calendar year since 1938 an "average percentage of initial markup" of 34% or less on women's full length hosiery. To determine this markup the chain must (i) compute the total of the initial retail prices at which all purchases of this hosiery were marked during a given year, (ii) compute the total of all invoice charges on purchases of the hosiery during the same year (figured after all discount deductions and including all transportation costs), (iii) subtract the total secured in (ii) from the total secured in (i) and (iv) divide the remainder by the total obtained in (i).

(2) *"Mail order houses."* A mail order house is an establishment selling at retail which makes offerings through catalogs or written price lists, receives orders and delivers by mail and which in any calendar year since 1938 had an average percentage of initial markup of 34% or less on women's full length hosiery. "Average percentage of initial markup" shall be computed in accordance with the provision of subparagraph (1) of this paragraph.

(b) *Sales at wholesale.* (1) A "sale at wholesale" is the sale in any quantity by an establishment which

(i) Is engaged in the business of selling women's hosiery to retailers generally, at least 50% of sales being out-of-stock (as opposed to drop shipments), and

(ii) Regularly carries representative stocks of women's hosiery belonging to it in its own place of business, and

(iii) Buys the hosiery (finished or in the greige) forming the subject of such sale after it has been knitted and assembled, and

(iv) Sells the hosiery which forms the subject of such sale to any one other than an ultimate consumer, and

(v) Continuously since January 1, 1942 has represented itself as a wholesaler, and has not represented itself as a manufacturer, and has been generally known only as a wholesaler, and not in any way known as a manufacturer, and has done business as such separately and apart from any establishment where rayon hosiery is manufactured.

(2) Where an establishment qualifies to make sales at wholesale under the foregoing definition, but directly or indirectly owns, controls, conducts or manages the business of a manufacturer or is directly or indirectly owned, controlled, conducted or managed by a manufacturer or by a person who owns, controls, conducts or manages the business of a manufacturer, it may not sell in any calendar year at ceilings for sales at wholesale, a greater proportion of such manufacturer's production than it sold in the year 1942.

(3) Any establishment which entered the business of selling women's hosiery after January 1, 1942, which satisfies the first four subdivisions of this paragraph (b) (1) and which does not directly or indirectly own, control, conduct or manage the business of a manufacturer and which is not directly or indirectly owned, controlled, conducted or managed by a manufacturer or by a person owning, controlling, conducting or managing the business of a manufacturer, which represents itself and is generally known only as a wholesaler and is not in any way known as a manufacturer and which does business as such separately and apart from any establishment where rayon hosiery is manufactured, must make sales at ceilings no higher than for sales by manufacturers until it has sent by registered mail to the Office of Price Administration, Washington 25, D. C., a written notice which must state the seller's name and address, information showing it is qualified to make sales at wholesale under the provisions of this subparagraph (3), and its relationship or affiliation, if any, to any person engaged in the sale of hosiery. Such establishment may not make any sales at ceilings higher than for sales by manufacturers after a change in any of the qualifying conditions specified in this paragraph.

(c) *Sales by manufacturers.* "Sales by manufacturers" include any sale by a "manufacturer" as defined as follows: A "manufacturer" is a person who knits, sews or assembles rayon hosiery or for whom rayon hosiery is sewn, knit or assembled from yarn or other materials which he supplied, purchased or furnished. All sales which do not qualify as sales at wholesale or sales at retail take the ceiling prices for sales by manufacturers.

SEC. 3. *Branded full-fashioned hosiery*—(a) *Two kinds of mill prices.* Two sets of ceiling prices are fixed for sales of full-fashioned hosiery by manufacturers. One set applies to sales of "branded hosiery" (as defined below). Another set applies to sales of unbranded hosiery (that is, hosiery which does not meet the definition of "branded").

(b) *Definition of branded hosiery.* For the purpose of this regulation women's full-fashioned rayon hosiery is branded if it meets all of the following conditions:

(1) It is first quality hosiery delivered by a manufacturer directly to retail establishments under the manufacturer's trade name or trademark, and sold by the retailer to the consumer under such trade name or trademark; and

(2) The trade name or trademark under which the hosiery is known was regularly advertised by the manufacturer in either the year 1941 or 1942 in the consumer press or by some form of advertising directed to the ultimate consumer other than by advertising matter accompanying the hosiery itself; and

(3) It is delivered by a manufacturer who in each of the years 1941, 1942 and 1943 has regularly serviced retail outlets out of finished stock owned and kept on hand by the manufacturer for that purpose.

(c) *Limitation on amount of "branded" hosiery to be sold.* No manufacturer shall deliver branded rayon hosiery in any calendar-quarter year at prices above those specified for unbranded rayon hosiery in Appendix B to a greater percentage of his total sales in dozens of pairs than his "branded percentage." A manufacturer's "branded percentage" is the percentage that his deliveries of women's branded full length hosiery of all fibres bore to his total deliveries of women's full length hosiery of all fibres both finished and in the greige for the year 1941. The ceiling price for all sales in excess of the "branded percentage" is the ceiling price for unbranded hosiery.

On or before April 20, 1944 and on or before the 20th day of each July, October, January and April thereafter, every manufacturer who has delivered branded women's rayon hosiery in the previous calendar-quarter year shall file with the Consumer Goods Price Division, Office of Price Administration, Washington 25, D. C., a signed statement showing his total volume delivered (by dozens of pairs) of women's rayon hosiery for the previous calendar-quarter year, and his total volume delivered (by dozens of pairs) of branded women's rayon hosiery broken down by the brands.

(d) *Report which must be filed before selling "branded" hosiery.* Before commencing to sell any hosiery as branded hosiery, a manufacturer must complete and file with the Consumer Goods Price Division of the Office of Price Administration, Washington 25, D. C., a signed statement showing:

(1) The total number of dozen pairs of women's full length hosiery of all types which he delivered in the year 1941.

(2) The trade names and trademarks owned and used by him in each of the years 1941, 1942 and 1943 on first quality women's full length hosiery of all fibres which he delivered directly to retail establishments serviced out of his own finished stock kept on hand for that purpose.

(3) The number of dozen pairs delivered in the manner described in subparagraph (2) of this paragraph must be separately stated for each brand and the total of brands delivered in this way must be stated for each of the years 1941, 1942 and 1943.

(4) An exact statement showing dates and media of advertisements for each brand since January 1, 1941. Advertising directed to ultimate consumers (not to the trade) paid for in whole or in part by the manufacturer should be reported. Not more than ten advertisements per annum need be reported for any one brand.

(5) The amount of the "branded percentage" as defined in paragraph (c) of this section.

SEC. 4. *Maximum prices by special application*—(a) *Rayon hosiery not specifically priced.* Maximum prices for women's rayon hosiery not specifically priced in Appendix B can be established only by specific authorization from the Office of Price Administration, Washington, D. C. No person is permitted to deliver rayon hosiery for which a maximum price is not provided in Appendix

B unless he receives such authorization. A seller who wants to secure a specific maximum price must file with the Consumer Goods Price Division of the Office of Price Administration, Washington, D. C. an application setting forth a description in detail of the rayon hosiery concerning which the application is made, together with a sample thereof. The seller must also submit such additional cost and construction information as may be required by the Administrator.

(b) *Hosiery specifically priced, but having additional features.* Where rayon hosiery is specifically priced in this regulation, but contains special features, a higher ceiling than that already stated may be authorized in certain exceptional cases. Higher ceilings for hosiery with special features will be established upon application where the special features are readily recognizable and where the Administrator is satisfied, from evidence submitted by the applicant that the special features will extend the useful life of the hosiery at least to the extent of the price increase. Consideration will not be given to pricing of special features the cost of which is less than 35¢ per dozen in the case of full-fashioned hosiery and 20¢ per dozen in the case of circular knit.

A seller who wants to secure such a higher than established ceiling for hosiery containing special features must file with Consumer Goods Price Division of the Office of Price Administration, Washington, D. C., an application setting forth a description in detail of the special features concerning which the application is made. The seller must also submit such additional cost and construction information as may be required by the Administrator as well as such information as the Administrator may require with respect to the added utility value of the features.

SEC. 5. *Marking and other information*—(a) *What marking must be made.* The person who first sells the hosiery in a finished state must mark it with a transfer, label, ticket or other device firmly affixed to at least one stocking of each pair of hosiery. An insert may be used by manufacturers until April 15, 1944. Other sellers may use the insert until July 15, 1944. Where delivery is made to an ultimate consumer in an envelope sealed by the manufacturer, the marking may be placed on the outside of the envelope. In such case delivery must be made to the ultimate purchaser with the envelope unopened. The marker must contain the following information:

(1) The word "ceiling" accompanied by the maximum price at retail under this regulation; (if the hosiery is sold to a person selling at wholesale the letter "W" must precede the maximum price. If the hosiery meets the definition of "branded" as stated in this regulation and is permitted to be sold at branded ceiling prices, the letter "T" must precede the maximum price);

(2) The trademark, trade name, or the Office of Price Administration registration number of the person who first sells the hosiery in a finished state; (sellers who have not already secured



registration numbers may do so by writing to the Office of Price Administration, Washington, D. C.);

(3) The gauge or needle count of the hosiery;

(4) The word "proportioned" on all proportioned hosiery;

(5) The word "misses" on all misses' hosiery;

(6) The word "out-size" on all out-size hosiery;

(7) The words "extra-long" on all viscose process hosiery 32" in length or longer and on all acetate yarn hosiery 33½" in length or longer;

(8) The word "irregulars" on all irregulars; the word "seconds" on all seconds; and the word "thirds" on all thirds. This marking of substandard hosiery must be placed on each stocking of the pair.

Information required by subparagraphs (1) and (3) above must be marked on the welt within an outlined space or block having dimensions no less than ¾" x 1½" in the case of a transfer\* or no less than ⅜" x ¾" in the case of a label or ticket. Two examples are set forth below:

Ceiling 81¢ 45 gauge
Ceiling—W—36¢ 260 ndls.

Any of the other information required by this paragraph may be placed on the welt provided it does not confuse or obscure the information contained in the space or block or it may be placed upon the foot of the stocking. Where inserts are permitted temporarily, all information may be placed on the insert.

(b) *Responsibility for marking.* No person who first sells the hosiery in a finished state and no retailer may deliver any hosiery covered by this regulation unless all of the marking provisions of this section are complied with. A person selling at wholesale shall not deliver hosiery which he knows or has reason to believe is improperly marked. These marking provisions do not apply to sales made to "exporters", as that term is defined in Second Revised Maximum Export Price Regulation.<sup>7</sup> However, exporters must mark any hosiery which they sell in the domestic market in accordance with the provisions of this section. These marking requirements likewise do not apply to retail sales of hosiery made by a manufacturer to employees.

(c) *Interim provision for sellers at retail and at wholesale.* Sellers at retail and at wholesale who on January 15, 1944 have in stock hosiery correctly marked in accordance with the provisions of Revised Maximum Price Regulation 339,<sup>8</sup> need not re-mark that hosiery. Retailers may continue to sell at or below the marked ceilings until April 16, 1944. Also, sellers at retail who purchase hosiery from wholesalers which has been correctly marked in accordance with the provisions of Revised Maximum Price

Regulation 339 need not re-mark that hosiery and may continue to sell at or below the marked ceilings until April 16, 1944. On and after April 16, 1944, all such hosiery must be re-marked and sold pursuant to the provisions of this Second Revised Maximum Price Regulation 339.

(d) *Exceptions for certain hosiery.* Hosiery which sellers at wholesale and at retail had in stock prior to and on the effective date of this Second Revised Maximum Price Regulation 339, which was classified as "Grade B" hosiery under Revised Maximum Price Regulation 339 (Issued August 23, 1943) or hosiery the production of which was formerly, but is no longer, authorized by War Production Board, shall continue subject to the ceiling prices and the marking provisions contained in the former Revised Maximum Price Regulation 339.

(e) *Other information.*—(1) *Retail classification.* An establishment selling at retail unbranded hosiery purchased directly from a manufacturer shall within 10 days after receipt of written request therefor by the manufacturer, inform such manufacturer whether or not it is a mail order house or a chain store as defined in section 2 (a).

(2) *For marking.* Any person making a sale at wholesale or a sale by a manufacturer shall furnish to his purchaser within 5 days after receipt of a written request all information regarding the construction and quality of the rayon hosiery pertinent to the marking required of the purchaser.

Sec. 6. *Explanation of terms.* (a) The "gauge" of full-fashioned hosiery is the number of needles per 1½" of the needle bar on which the hosiery is knit, assuming use of the full needle bar except for a tolerance of 4 needles.

(b) The "needle count" of circular knit hosiery is the total number of needles which operate to make the stocking on the knitting cylinder of the machine on which the hosiery is knit.

(c) "Full-length hosiery" is hosiery designed to be worn with the welt above the knee.

Sec. 7. *Amendments.* Any person seeking an amendment which will have general applicability may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1<sup>9</sup> issued by the Office of Price Administration.

Sec. 8. *When taxes may be added to ceiling price.* If a statute or ordinance permits a tax to be separately stated, the seller is permitted to charge or collect, in addition to the price, a tax on the sale or delivery of the hosiery provided he states the tax separately. This applies, however, only to a tax on a particular sale or delivery such as a gross tax or compensating use tax. Taxes on prior sales or deliveries may not be added.

Sec. 9. *Relation to other maximum price regulations.*—(a) *General Maximum Price Regulation.*—(1) *Applicability.* The General Maximum Price Regulation shall not apply and this regulation shall apply to sales, deliveries and

offers to sell women's rayon hosiery. However, the following sections of the General Maximum Price Regulation are made a part of this regulation and each seller must comply with them:

(1) Current records (§ 1499.12).

(11) Sales slips and receipts (§ 1499.14).

(2) *Definitions incorporated by reference.* Unless the context otherwise requires, or unless otherwise specifically provided herein, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

(b) *Maximum Price Regulation 157,<sup>5</sup> 172,<sup>6</sup> and Second Revised Maximum Export Regulation.* This regulation shall not apply to nor supersede transactions regulated or governed by Maximum Price Regulation 157 or 172 or Second Revised Maximum Export Price Regulation.

(c) *Licensing Order No. 1.<sup>1</sup>* The licensing provisions of Licensing Order No. 1 licensing all persons who make sales under price control shall apply to all sellers subject to this regulation. A seller's license may be suspended for violation of the license or this regulation. A person whose license is suspended may not during the period of suspension make any sale for which his license has been suspended.

Sec. 10. *Geographical applicability.* This regulation shall be applicable to the continental United States and to the District of Columbia, but not to the territories and possessions of the United States.

Sec. 11. *Prohibitions and enforcement.*—(a) *Prohibitions.* On and after January 15, 1944, regardless of any contract or obligation, no person shall:

(1) Sell or deliver any rayon hosiery at a price higher than the maximum price permitted by this regulation; or

(2) Except as authorized in section 5 (d), sell or deliver any rayon hosiery not meeting the minimum requirements of the War Production Board; or

(3) Deliver any rayon hosiery for which a maximum price is not provided in Appendix B unless he receives from the Office of Price Administration, Washington, D. C., a specific Maximum price therefor, as provided in section 4; or

(4) Require a purchaser to buy or agree to buy any hosiery or other articles, service, package or wrapper in connection with a sale or delivery of rayon hosiery; or

(5) Buy or receive rayon hosiery in the course of trade or business at a price higher than the maximum price permitted by this regulation; or

(6) Offer, attempt, or agree to do any of the acts prohibited by this regulation; or

(7) Do any other act which directly or indirectly increases above the maximum price the consideration paid by the purchaser for the rayon hosiery. Any practice which is a device to secure the effect of a higher than ceiling price is as much a violation as an outright raising of the

<sup>5</sup> 7 FR. 4132, 5987, 7662, 9998, 15193.

<sup>6</sup> 8 FR. 11741, 12014, 14622, 15906.

<sup>7</sup> 7 FR. 6961, 8 FR. 3313, 3533, 6173.

<sup>8</sup> 8 FR. 3096, 3849, 4347, 4480, 4724, 4978, 4848, 6047, 6962, 8511, 9225, 11055.

<sup>9</sup> 7 FR. 4273, 4541, 4618, 5189, 5716, 6042, 6348, 8 FR. 3948, 7507, 15005.

<sup>1</sup> 7 FR. 4832, 6234, 8351, 8348, 10864, 8 FR. 8063.

<sup>1</sup> 8 FR. 13240.

APPENDIX B—SCHEDULE OF MAXIMUM PRICES  
TABLE 1—MAXIMUM PRICES FOR SALES OF FULL-FASHIONED HOSIERY<sup>1</sup>  
[All prices are net f o b point of shipment]

First Quality

(a)	By manufacturers (per dozen)		At wholesale (per dozen)	At retail (per pair)		
	(b)	(c)		(d)	(e)	(f)
Gauges	Unbranded	Branded	Drop shipments 5% below these prices	By chain and mail order houses	Of unbranded buying from manufacturers	Of branded or buying from wholesalers, also house to house
39	\$5.05	\$6.35	\$7.00	\$0.71	\$0.70	\$0.84
42	6.25	6.70	7.35	71	83	80
45	6.75	7.20	7.85	81	90	96
48	7.25	7.70	8.55	87	96	1.03
51	7.75	8.25	9.10	93	1.03	1.10
54	9.05	10.45	11.70	1.20	1.32	1.40
57	10.80	11.45	12.80	1.30	1.45	1.53
60 and higher	11.00	12.45	14.00	1.42	1.59	1.65

Permissible Additions for Special Constructions of First Quality. Description of These Constructions Will Be Found at End of This Table

	\$0.35	\$0.50	\$0.60	\$0.70	\$0.80	\$0.90	\$1.00	\$1.10	\$1.20	\$1.30	\$1.40	\$1.50	\$1.60	\$1.70	\$1.80	\$1.90	\$2.00
Premium heel and sole																	
Premium welts																	
Extra lengths																	
Outside 14 to 14 1/2 head																	
Outside 15 to 15 1/2 head																	
Outside 16 and wider																	
Lace and mesh																	
Premium yarn construction																	
Non Run construction																	

Irregulars

39	\$5.00	\$5.00	\$6.00	\$7.00	\$8.00	\$9.00	\$10.00	\$11.00	\$12.00	\$13.00	\$14.00	\$15.00	\$16.00	\$17.00	\$18.00	\$19.00	\$20.00	\$21.00	\$22.00	\$23.00	\$24.00	\$25.00	\$26.00	\$27.00	\$28.00	\$29.00	\$30.00	
42	5.50	6.00	6.50	7.00	7.50	8.00	8.50	9.00	9.50	10.00	10.50	11.00	11.50	12.00	12.50	13.00	13.50	14.00	14.50	15.00	15.50	16.00	16.50	17.00	17.50	18.00	18.50	19.00
46	6.00	6.50	7.00	7.50	8.00	8.50	9.00	9.50	10.00	10.50	11.00	11.50	12.00	12.50	13.00	13.50	14.00	14.50	15.00	15.50	16.00	16.50	17.00	17.50	18.00	18.50	19.00	19.50
48	6.50	7.00	7.50	8.00	8.50	9.00	9.50	10.00	10.50	11.00	11.50	12.00	12.50	13.00	13.50	14.00	14.50	15.00	15.50	16.00	16.50	17.00	17.50	18.00	18.50	19.00	19.50	20.00
54	8.00	8.50	9.00	9.50	10.00	10.50	11.00	11.50	12.00	12.50	13.00	13.50	14.00	14.50	15.00	15.50	16.00	16.50	17.00	17.50	18.00	18.50	19.00	19.50	20.00	20.50	21.00	21.50
57	8.50	9.00	9.50	10.00	10.50	11.00	11.50	12.00	12.50	13.00	13.50	14.00	14.50	15.00	15.50	16.00	16.50	17.00	17.50	18.00	18.50	19.00	19.50	20.00	20.50	21.00	21.50	22.00
60 and higher	10.50	11.00	11.50	12.00	12.50	13.00	13.50	14.00	14.50	15.00	15.50	16.00	16.50	17.00	17.50	18.00	18.50	19.00	19.50	20.00	20.50	21.00	21.50	22.00	22.50	23.00	23.50	24.00

Permissible Additions for Special Constructions of Irregulars. Description of These Constructions Will Be Found at End of This Table

	\$0.20	\$0.30	\$0.40	\$0.50	\$0.60	\$0.70	\$0.80	\$0.90	\$1.00	\$1.10	\$1.20	\$1.30	\$1.40	\$1.50	\$1.60	\$1.70	\$1.80	\$1.90	\$2.00	\$2.10	\$2.20	\$2.30	\$2.40	\$2.50	\$2.60	\$2.70	\$2.80	\$2.90	\$3.00
Prem. heel and sole																													
Premium welts																													
Extra lengths																													
Outside 14 to 14 1/2 Head																													
Outside 15 to 15 1/2 Head																													
Outside 16 and wider																													
Lace and mesh																													
Premium yarn construction																													
Non Run construction																													

Full-fashioned—Seconds

39 & 42	\$4.00	\$4.75	\$5.50	\$6.25	\$7.00	\$7.75	\$8.50	\$9.25	\$10.00	\$10.75	\$11.50	\$12.25	\$13.00	\$13.75	\$14.50	\$15.25	\$16.00	\$16.75	\$17.50	\$18.25	\$19.00	\$19.75	\$20.50	\$21.25	\$22.00	\$22.75	\$23.50	\$24.25	\$25.00	\$25.75	\$26.50	\$27.25	\$28.00	\$28.75	\$29.50	\$30.25	\$31.00	\$31.75	\$32.50	\$33.25	\$34.00	\$34.75	\$35.50	\$36.25	\$37.00	\$37.75	\$38.50	\$39.25	\$40.00	\$40.75	\$41.50	\$42.25	\$43.00	\$43.75	\$44.50	\$45.25	\$46.00	\$46.75	\$47.50	\$48.25	\$49.00	\$49.75	\$50.50	\$51.25	\$52.00	\$52.75	\$53.50	\$54.25	\$55.00	\$55.75	\$56.50	\$57.25	\$58.00	\$58.75	\$59.50	\$60.25	\$61.00	\$61.75	\$62.50	\$63.25	\$64.00	\$64.75	\$65.50	\$66.25	\$67.00	\$67.75	\$68.50	\$69.25	\$70.00	\$70.75	\$71.50	\$72.25	\$73.00	\$73.75	\$74.50	\$75.25	\$76.00	\$76.75	\$77.50	\$78.25	\$79.00	\$79.75	\$80.50	\$81.25	\$82.00	\$82.75	\$83.50	\$84.25	\$85.00	\$85.75	\$86.50	\$87.25	\$88.00	\$88.75	\$89.50	\$90.25	\$91.00	\$91.75	\$92.50	\$93.25	\$94.00	\$94.75	\$95.50	\$96.25	\$97.00	\$97.75	\$98.50	\$99.25	\$100.00																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																											
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See footnote at end of table.

maximum price This applies to but is not limited to the devices making use of commissions, services cross sales, transportation arrangements, premiums, discounts special privileges tying agreements trade understandings and all similar practices

(b) Enforcement Persons violating any provisions of this Second Revised Maximum Price Regulation 339 are subject to the criminal penalties, civil enforcement actions, suits for treble damages and proceedings for suspension of licenses provided by the Emergency Price Control Act of 1942 as amended

#### APPENDIX A—STANDARDS OF INSPECTION

Rayon hosiery must be classified and marked according to the standards of inspection set forth below:

(a) Explanation of table of defects The following table illustrates how hosiery containing any of the defects listed should be classified

(1) Full fashioned hosiery Full fashioned hosiery containing any of the defects listed in Column (1) cannot be considered first quality but must be considered irregulars Similarly hosiery containing any of the defects listed in Column (2) must be considered seconds and not irregulars and hosiery containing any defects listed in Column (3) must be considered thirds

(2) Circular knit hosiery Circular knit hosiery containing any of the defects listed in Columns (1) and (2) cannot be considered first quality but must be considered irregulars Hosiery containing any of the defects listed in Column (3) must be considered as seconds

(b) Table of defects (Reference is to defect in either stocking)

(Column 1)	(Column 2)	(Column 3)
(a) Welt defects (1) Badly mismatched welts (2) Leg defects (3) Minor yarn defects such as slubs knots broken filaments shin ors (4) Visible rings or shadows (5) Visible sinker stripes or lines (6) Visible picked up pull threads (7) Uneven stitch construction. (8) Light color contrasts or shadings (9) Foot defects. (10) Heavy dye streaking (11) Light mismatching at instep	(1) Welt defects (i) Menders less than 1/4 (ii) Leg defects. (iii) Menders or seamers less than 1/4 (iv) Major yarn defects such as decided rings heavy slubs, kinks or idrgo knots. (v) Fuzzy sinker or needle line marks (vi) Sharply defined color contrasts or shadings (7) Foot defects. (i) Heavy mismatching at instep (ii) Over all defects. (iii) Lengths under 20 1/2 (iv) Menders, limited to two, medium or two small menders	(1) Welt defects (i) Menders in excess of 1/4 (ii) Leg defects. (iii) Menders or seamers of 1/4 (3) Over all defects (i) More than two medium or three small menders

APPENDIX B—SCHEDULE OF MAXIMUM PRICES—Continued

TABLE 1—MAXIMUM PRICES FOR SALES OF FULL-FASHIONED HOSIERY—continued

*Permissible Additions for Special Constructions of Seconds Description of These Constructions Will Be Found at End of This Table*

(a)	By manufacturers (per dozen)		At wholesale (per dozen)	At retail (per pair)			
	(b)	(c)		(d)	(e)	(f)	(g)
Gauge	Unbranded	Branded	Drop shipments 5% below these prices	By chain and mail order houses	Of un branded buying from man ufacturers	Of branded or buying from whole salers, also house to house	
Premium wels	\$0 20	--	\$0 25	\$0 03	\$0 03	\$0 03	
Extra lengths	30	--	35	04	04	04	
Outside—14 to 18½ head	30	--	35	04	04	04	
Inside—16 to 19½ head	40	--	70	07	08	08	
Inside—18 and wider	90	--	1 05	11	12	12	
Inside mesh	90	--	1 05	11	12	12	
Premium construction	1 05	--	1 25	13	14	14	
Non run construction.	1 20	--	1 40	15	16	17	

### Full-fashioned—Thirds

[illegible]

**How to use tables.** *Retailers*, who meet the definition for elms and mall order houses will find the minimum prices at which they may sell rayon hosiery in column (c). Above other retailers and the minimum prices at which they may sell rayon hosiery in column (c) are the minimum prices at which they may sell rayon hosiery in column (b) and they will find in column (a) the minimum prices at which they may sell rayon hosiery in column (b) and they will find in column (a) the minimum prices at which they may sell rayon hosiery in column (b). Hosiery branded or unbranded may be sold at prices higher than those in column (c) hosiery branded or unbranded may be sold at prices higher than those in column (b) hosiery branded or unbranded may be sold at prices higher than those in column (a) hosiery branded or unbranded may be sold at prices higher than those in column (a). Only first quality hosiery may be sold at "branded ceiling" prices. Manufacturers have but two real types of sales. When they sell "branded ceiling" prices (as that term is defined in Sec. 3 of the regulation) they will find their ceilings in column (c). Any unbranded hosiery ceilings are found in column (b). Hosiery classed as irregular, seconds or thirds may not be sold at "branded" ceilings. Manufacturers should likewise note that no hosiery which they sell to wholesale establishments may be sold at prices higher than those in column (b) which they sell to wholesale establishments may be sold at prices higher than those in column (a).

Description of premunt values referred to in table 1

**Practising doctors and solicitors** are those reformed with cotton, sun rayon, or combination yarn

*Premium* textiles are welts made of cotton, silk, spun rayon, blended, or combination yarn.

**Extra length stockings are those with a minimum length of 32" It made of viscose rayon or 33 1/2 % made of acetate rayon.**

It may be noted that the mesh stockings are those with a distinctive lace or mesh pattern throughout the leg.

portion, knit with full lace or modified lace tackle on a full fashioned knitting machine. No lace or mesh premium may be applied to gauges finer than 67 if such premium results in a

No use of mesh premium may be applied to Hedges' net loan of 1 such premium results in a price greater than the corresponding lace or mesh price for 51 gauge.

*Precut* yarn construction consists of stockings, legs of which are made of spun rayon blended with premium wools and with premium wools and premium heels and soles, called or combination men and women.

*Combination yarn* is plied yarn in which filament rayon is twisted with other fibers.

**plied yarn** is a yarn in which two or more separate ends of rayon yarn are combined by twisting

*Spun rayon yarn* is yarn spun from rayon staple fiber.  
*Blended yarn* is yarn which is spun from mixtures of rayon staple fiber and cotton fiber

**Outside hosier** 14 and 14½ " outside hosier is hosier which

- (1) is knitted on 14 or 14½ needle bar using the full needle bar (with a tolerance of 4 needles);
- (ii) is knitted with no fashionings or narrowings in the flare;

(iii) is boarded on outside forms in accordance with accepted trade practice.

15" and 16" outsize hosiery which is knitted on a full 15" or 16" needle bar (with a 1" lance of 4 needles) and is hoarded on outsize forms in accordance with accepted trade practice.

No outside premium may be applied to gauges finer than 40 if such premium results in a price of 1 cent or less per lb. (including the cost of the gauge) and is confined to outlets to which such premium is not applied.

greater than the corresponding price of 45 gauge.

Non run stockings are those which are knit throughout the leg portion by one of the generally accepted methods of knitting non run fabric. No non run premium may be applied to hosiery.

finer than 45 if such premium results in a price greater than the corresponding non run price for 45 range

**FOR 46 PAUES.**

### Permissible Additions for Special Constructions of First Quality

[illegible]

**Background**

[illegible]

\* All retailers who buy from manufacturers will find maximum prices at which they can sell elastic knit rayon t-shirt in column (4) of the above table. If they buy from wholesalers they may use the ceiling prices shown in column (6).

APPENDIX B—SCHEDULE OF MAXIMUM PRICES—Continued  
TABLE 3—MAXIMUM PRICES FOR SALES OF SPECIAL CONSTRUCTIONS OF RAYON HOSIERY:  
[All prices are net (c o b point of shipment)]

(a) Description	(b) By manu- facturers, per dozen	(c) At wholesale per dozen shipments 5 per cent below these prices)	At retail (per pair)		
			(d) By chains and mail order houses	(e) By other retailers	
				Buying from manufacturers	Buying from wholesalers
33 and 35 gauge full fashioned made of combination yarn:					
First Quality	\$5 50	\$9 85	\$9 70	\$9 77	\$9 82
Irregulars	4 90	6 80	59	65	70
Seconds	3 85	4 55	46	51	55
Thirds	2 90	3 45	35	39	42
Bursen type Continuous Filament					
Standard:					
First Quality	4 40	5 20	53	59	62
Irregulars	3 75	4 45	46	50	53
Seconds	2 20	2 60	26	29	31
Outsize					
First Quality	4 95	5 85	59	66	70
Irregulars	4 20	4 95	50	56	59
Seconds	2 90	2 95	30	33	36
Extra Quality					
First Quality	5 95	7 00	71	80	84
Irregulars	5 00	5 90	60	68	71
Seconds	3 00	3 55	36	40	43
Combination Yarn Standard:					
First Quality	4 30	5 05	51	57	61
Irregulars	3 65	4 30	44	49	52
Seconds	2 15	2 55	26	29	31
Outsize					
First Quality	4 65	5 50	56	62	66
Irregulars	3 95	4 65	47	53	56
Seconds	2 35	2 77½	23	31	34

(NOTE—Hosiery of Bursen types below first quality shall be graded as provided for circular knit.)  
\*Retailers who come under the definition of chain or mail order houses will find the maximum prices at which they may sell hosiery of the above listed special constructions in column (d). Other retailers who buy from mail order houses will find their ceiling prices in column (e) and if they will find in column (f) maximum prices at which they may sell such hosiery bought from wholesalers.

Effective date. This Second Revised Maximum Price Regulation No. 339 shall become effective January 15, 1944.

NOTE: The records and reports provisions of this regulation have been approved by the Bureau of the Budget under the Federal Reports Act of 1942.

Issued this 4th day of January 1944  
JAMES F. BROWNLEE  
Acting Administrator

[F R Doc 44-147; Filed January 4, 1944; 12:07 p m.]

Such specifications and standards as are used in this regulation were prior to such use in general use in the trade or industry affected.

[Preamble as amended by Supplementary Order No. 67 8 F.R. 12555 effective 9-11-43]

§ 1449 1. Maximum prices for charcoal.

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended and Executive Orders 9250 and 9323.

Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

PART 1449—CHARCOAL

[MPR 431 Incl Amdt 61]

CHARCOAL

Paragraph (b) of Appendix A amended by Amendment 6 effective January 10

3 P.R. 5623

APPENDIX B—SCHEDULE OF MAXIMUM PRICES—Continued  
TABLE 2—MAXIMUM PRICES FOR SALES OF CIRCULAR KNIT RAYON HOSIERY—continued  
Permissible additions for Special Constructions of Irregulars

(a) Needle count	(b) By manu- facturers, per dozen	(c) At wholesale per dozen shipments 5% below these prices	At retail (per pair)	
			By retailers buying from manufacturers	By retailers buying from wholesalers
Single end mesh producers twist	\$0 15	\$0 17½	\$0 02	\$0 02
Double end mesh high twist	22½	27½	03	03
Cotton welts on 280 needle and coarser	50	60	03	07
Cotton welts on 300 needle and finer	20	22½	02	03
High twist 280 needle and below	27½	32½	03	04
Outsize	22½	27½	03	03
Leg of rayon plaited with cotton with premium	27½	32½	03	04
Leg of blended, combination, or spun rayon yarn	45	52½	06	06
Leg with premium welt—280 needle and coarser	45	52½	06	06
Leg of continuous filament rayon in leg	45	52½	10	12
Leg of 2 ply spun rayon yarn with premium welt	45	52½	06	06
300 needle and coarser				
Leg made of plaited rayon yarn spun on silk system	1 75	2 07½	22	26
Leg made of plaited rayon yarn spun on silk system	1 37½	1 69½	17	20
280 needle and coarser				
300 needle and finer				

#### Circular Knit—Seconds

	(b)	(c)	(d)	(e)
200 and lower	\$1 00	\$1 20	\$0 12	\$0 15
220-240	1 15	1 47½	15	17
260	1 25	1 55	16	18
280	1 30	1 65	18	20
300 Prod T twist	1 45	1 72½	18	21
300 High Twist	1 70	2 00	21	25
320	1 80	2 12½	22	26
340	2 00	2 37½	25	29
360-380	2 25	2 65	28	32
400	2 50	3 07½	32	37

#### Permissible Additions for Special Constructions of Seconds

	(b)	(c)	(d)	(e)
Single end mesh producers twist	\$0 10	\$0 12½	\$0 01	\$0 01
Double end mesh high twist	15	17½	02	02
Cotton welts on 280 needle and coarser	32½	40	04	05
Cotton welts on 300 needle and finer	12½	15	02	02
High twist 280 needle and below	17½	22½	02	03
Outsize	15	17½	02	02
Leg of rayon plaited with cotton with premium	17½	22½	02	03
Leg of blended, combination, or spun rayon yarn	30	35	04	04
Leg with premium welt—280 needle and coarser	30	35	04	04
Leg of continuous filament rayon in leg	30	35	07	08
Leg of 2 ply spun rayon yarn with premium welt	55	65	04	04
300 needle and coarser	30	35		
300 needle and finer				
Leg made of plaited rayon yarn spun on silk system	1 17½	1 40	15	17
Leg made of plaited rayon yarn spun on silk system	1 92½	1 10	12	14
280 needle and coarser				
300 needle and finer				

Maximum Price Regulation No. 431 (Charcoal), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1449.1 (issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681).

# MAXIMUM PRICE REGULATION 431—CHARCOAL

## Sec.

1. Prohibition against sales of charcoal at higher than maximum prices.
  2. Less than maximum prices.
  3. Adjustable pricing.
  4. Relationship of this to other maximum price regulations.
  5. Geographical applicability.
  6. Records and reports.
  7. Evasion.
  8. Enforcement and licensing.
  9. Definitions.
  10. Petitions for amendment.
- Appendix A: Maximum prices for hardwood charcoal.
- Appendix B: Maximum prices for pine wood charcoal.

**SECTION 1. Prohibition against sales of charcoal at higher than maximum prices.** On and after July 12, 1943, regardless of any contract or other obligation:

No person making a sale of charcoal for which maximum prices are set forth in this regulation shall sell or deliver such charcoal at prices higher than the maximum prices set forth in this regulation.

No person purchasing charcoal from a seller for whom maximum prices are set forth in this regulation shall buy or receive such charcoal in the course of trade or business at prices higher than the maximum prices set forth in this regulation.

No person shall agree, offer, solicit, or attempt to do any of the foregoing.

[NOTE: Supplementary Order No. 7 (7 F.R. 5176) provides that war procurement agencies and governments whose defense is vital to the defense of the United States shall be relieved of liability, civil or criminal, imposed by price regulations issued by the Office of Price Administration.]

[NOTE: Supplementary Order No. 31 (7 F.R. 9894, 8 F.R. 1312, 3702) provides that: Notwithstanding the provisions of any price regulation, the tax on transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall, for purposes of determining the applicable maximum price of any commodity or service, be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated, under any provision of any price regulation or any interpretation thereof, as a tax for which a charge may be made in addition to the maximum price.]

**SEC. 2. Less than maximum prices.** Lower prices than those established by this regulation may be charged, demanded, paid, or offered.

**SEC. 3. Adjustable pricing.** Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a

change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

**SEC. 4. Relationship of this to other maximum price regulations—(a) General Maximum Price Regulation.** The provisions of this regulation supersede the provisions of the General Maximum Price Regulation<sup>1</sup> with respect to sales and deliveries for which maximum prices are established by this regulation.

**(b) Exports; (Second Revised Maximum Export Price Regulation applicable.)** The maximum price at which a person may export charcoal shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation<sup>2</sup> issued by the Office of Price Administration.

**(c) Imports; (Revised Supplementary Regulation No. 12 applicable.)** The provisions of this regulation do not apply to purchases, sales, or deliveries of charcoal which originate outside of and are imported into the continental United States. Sales, purchases, and deliveries of such imported charcoal are governed by the provisions of the General Maximum Price Regulation, and especially Revised Supplementary Regulation No. 12.<sup>3</sup>

**SEC. 5. Geographical applicability.** The provisions of this regulation shall be applicable to the forty-eight States of the United States and the District of Columbia.

**SEC. 6. Records and reports.** (a) Every person making sales or purchases of charcoal after July 11, 1943 for which maximum prices are established by this regulation, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each such sale or purchase, showing the date thereof, the name and address of the seller and the buyer, the price paid or received, and the quantity of charcoal sold or purchased.

(b) Such persons shall submit such reports to the Office of Price Administration and keep such other records in addition to or in place of the records required by paragraph (a) of this section as the Office of Price Administration may from time to time require.

**SEC. 7. Evasion.** The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale or delivery of, or relating to the sale of charcoal, alone or in connection with any other commodity, or by way of commission,

<sup>1</sup> 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 8025, 8391, 11955.

<sup>2</sup> 8 F.R. 4132, 5987, 7662, 8938, 16193.

<sup>3</sup> Superseded by Maximum Import Price Regulation; 8 F.R. 11681, 12237, 13244.

service, transportation, or other charge, or discount, premium, or other privilege, or by tying-agreement or other trade understanding, or otherwise.

**SEC. 8. Enforcement and licensing—(a) Enforcement.** Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

**(b) Licensing.** The provisions of Licensing Order No. 1,<sup>4</sup> licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

[Paragraph (b) as amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43]

**SEC. 9. Definitions.** (a) When used in this regulation, the term:

"Charcoal" means an amorphous form of carbon obtained by the incomplete combustion of either hardwood or softwood.

"Hardwood charcoal" means charcoal produced from hardwoods.

"Pine wood charcoal" means charcoal produced from pine wood in the states of Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina.

[Above definition added by Am. 1, 8 F.R. 11444, effective 8-21-43]

"Lump charcoal" means unprocessed charcoal which will pass over a screen with  $\frac{3}{4}$  inch openings.

"Charcoal screenings" means unprocessed charcoal which will not pass over a screen with  $\frac{3}{4}$  inch openings, and includes fines and braise.

"Granulated" or "ground charcoal" means charcoal which has been subjected to a granulating or grinding process.

"Kiln charcoal" means charcoal produced from mixed hardwoods in a kiln.

"Producer" means any person who produces charcoal and includes any agent of a producer.

"Hardwood distiller" means a person who produces charcoal from mixed hardwoods by the destructive distillation process and who recovers in the process such chemicals as wood alcohol, acetic acid, or acetate of lime.

"Dealer" means a person who purchases charcoal and resells it in substantially the same form, and includes a person who purchases charcoal and grinds it before reselling it.

"Person" includes an individual, corporation, partnership, association, or any other organized group of persons or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political

<sup>4</sup> 8 F.R. 13240.



subdivisions, or any agency of any of the foregoing.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

SEC. 10. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.<sup>7</sup>

[NOTE: Procedural Regulation No. 6 (7 F.R. 5087, 5685) provides for the filing of applications for adjustment of maximum prices for commodities or services under Government contracts or subcontracts. Revised Supplementary Order No. 9 (8 F.R. 6175) makes the provisions of Procedural Regulation No. 6 applicable to all price regulations, with the exception of those which expressly prohibit such applications, and certain specific regulations listed in Revised Supplementary Order No. 9.]

[NOTE: Supplementary Order No. 28 (7 F.R. 9619) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

[NOTE: Supplementary Order No. 42 (8 F.R. 4988) provides that no price regulation of the Office of Price Administration shall apply to sales or deliveries of any commodity or service made to Government agencies pursuant to secret contracts or subcontracts.]

#### APPENDIX A—MAXIMUM PRICES FOR HARDWOOD CHARCOAL

(a) *Sales by producers.* The maximum price for a sale by a producer of hardwood charcoal in quantities of one ton or more shall be the maximum price established under the General Maximum Price Regulation including any order issued thereunder or the maximum price set forth below, whichever is higher. The prices set forth below are per ton of hardwood charcoal, f. o. b. producer's plant.

(1) Sales by hardwood distillers of charcoal made from mixed hardwoods:

(i) Produced in New York and Pennsylvania:

Lump charcoal in bulk.....	\$33.00
Lump charcoal in bags (bags extra and returnable).....	35.00
Charcoal screenings.....	23.00

(ii) Produced in Michigan and Wisconsin:

Lump charcoal in bulk.....	33.00
Briquets in bulk.....	35.00
Briquets in 100-lb. bags (bags included).....	41.00
Briquets in 20 and 40-lb. bags (bags included).....	40.00
Granulated charcoal in bags (bags included).....	44.00
Charcoal screenings.....	23.35

(iii) Produced in Tennessee and Arkansas:

Lump charcoal in bulk.....	27.00
Lump charcoal in bags (bags included).....	35.00
Granulated charcoal in bags, ground and sized (bags included).....	34.50
Standard Briquettes in bulk.....	38.00
Midget Briquettes (bags included).....	47.00
Standard Briquettes in bags (bags included).....	40.00
Soft Waterproof Briquettes in bulk.....	40.00
Charcoal screenings.....	19.40

[Subparagraph (iii) as amended by Am. 3, 8 F.R. 13059, 13945, effective 9-29-43]

<sup>7</sup> 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

(2) Sales of kiln charcoal made from mixed hardwoods: Per ton

Lump kiln charcoal in bulk or in bags (bags included).....	\$40.00
Kiln charcoal screenings.....	29.00

[Subparagraph (2) as amended by Am. 4, 8 F.R. 15527, effective 11-17-43]

(b) *Sales by dealers.* The maximum price for a sale by a dealer of hardwood charcoal for which a maximum price is set forth in paragraph (a) shall be the highest of the following:

(1) The dealer's maximum price for a sale of the same grade and quantity of charcoal in the same kind of containers established by the General Maximum Price Regulation including any order issued thereunder.

(2) The dealer's maximum price computed pursuant to the first applicable method set forth below:

(i) The dealer's maximum price for a sale of the same grade and quantity of charcoal in the same kind of containers established by the General Maximum Price Regulation plus any increase in the price which he is required to pay to the producer from whom he purchases charcoal under the provisions of paragraph (a) over the highest price paid by him to that producer for such charcoal during March 1942, or, if no purchases were made by him during March 1942 from such producer, during the last calendar month of 1942 prior thereto during which such purchases were made by him.

(ii) Where a dealer is unable to determine his maximum price for charcoal under subparagraph (i) of this subparagraph (2), the maximum price established by this regulation for a sale of such charcoal by his most closely competitive seller.

(3) The dealer's delivered cost per ton (not in excess of the producer's maximum price under paragraph (a) plus actual freight) plus the amount per ton set opposite the applicable delivered cost range as follows:

Delivered cost per ton:	Amount per ton to be added
\$1.00-\$9.99.....	\$1.25
\$10.00-\$19.99.....	3.75
\$20.00-\$29.99.....	6.25
\$30.00-\$39.99.....	8.55
\$40.00-\$49.99.....	11.25
\$50.00 and over.....	12.00

[Paragraph (b) as amended by Amendment 6, effective 1-10-44]

(c) *Sales by Delta Chemical and Iron Company.* Notwithstanding any other provision of this regulation, the maximum prices for sales of charcoal made from mixed hardwoods by Delta Chemical and Iron Company, Wells, Michigan, f. o. b. plant, shall be:

Per ton

Lump charcoal in bulk.....	\$40.00
Charcoal screenings.....	30.00

[Paragraph (c) added by Am. 2, 8 F.R. 12444, effective 9-6-43]

#### APPENDIX B—MAXIMUM PRICES FOR PINE WOOD CHARCOAL

(a) *Sales by producers.* The maximum prices for sales of pine wood charcoal by producers f. o. b. producer's plant shall be:

(1) Lump pine wood charcoal: Per ton

(i) Carload or more.....	\$20.00
(ii) Less than carload:	
(a) Bulk.....	24.00
(b) In bags (bags included).....	30.00

(2) Granular pine wood charcoal in bags:

(i) Carload or more (bags included).....	30.20
(ii) Less than carload (bags included).....	41.00

[Paragraph (a) as amended by Am. 5, 8 F.R. 16035, effective 11-30-43]

(b) *Sales by dealers.* The maximum price for a sale by a dealer of pine wood charcoal shall be the dealer's maximum price for a sale of pine wood charcoal established by the General Maximum Price Regulation including any order issued thereunder, or the maximum price computed pursuant to the first applicable method set forth below, whichever is higher.

(1) The dealer's maximum price for a sale of pine wood charcoal established by the General Maximum Price Regulation plus any increase in the price which he is required to pay to the producer from whom he purchases charcoal under the provisions of paragraph (a) of this appendix over the highest price paid by him to that producer for such pine wood charcoal during March 1942, or, if no purchases were made by him during March 1942 from such producer, during the last calendar month of 1942 prior thereto during which such purchases were made by him.

(2) Where a dealer is unable to determine his maximum price for pine wood charcoal under subparagraph (1) of this paragraph (b), the maximum price established by this regulation for a sale of such pine wood charcoal by his most closely competitive seller.

(c) *Containers.* (1) The maximum prices set forth in this Appendix B include bags. The seller may, however, require the buyer to return bags, but where he does so the maximum prices for the contents of such bags as established by this appendix, shall be decreased by an amount equal to the maximum price established by the applicable regulation for used bags of the same kind in good condition, f. o. b. buyer's place of business.

(2) If the seller does not sell the bags he may require a reasonable deposit to insure their return, but such deposit must be refunded to the buyer upon return of the bags in good condition within a reasonable time. Transportation costs with respect to the return of empty bags to the seller shall in all cases be borne by the seller.

[Paragraph (c) as amended by Am. 5, 8 F.R. 16035, effective 11-30-43]

[Appendix B added by Am. 1, 8 F.R. 11444, effective 8-21-43]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits special packing expenses to be added to maximum prices on sales to procurement agencies of the United States.]

This regulation shall become effective July 12, 1943.

[Issued July 12, 1943]

[NOTE: Effective dates of amendments are shown in notes following the parts affected.]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-148; Filed, January 4, 1944; 12:08 p. m.]

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 1 to GMPR, Amdt. 41]

## USED AIRPLANES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Supplementary Regulation 1 is amended in the following respects:

1. Section 3.2 (b) (3) is added to read as follows:

(3) Sales and deliveries of used airplanes, powered with a single engine of not more than 500 horsepower.

2. In section 3.2 (c) a sentence is added thereto to read as follows:

This exception shall not apply to sales and deliveries of used airplanes, powered with a single engine of not more than 500 horsepower.

This amendment shall become effective January 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-149; Filed, January 4, 1944;  
12:07 p. m.]

## PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 72]

## USED AIRPLANES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 6.34 is added to read as follows:

SEC. 6.34 *Used airplanes*—(a) *Coverage*.<sup>1</sup> This section applies to all sales (except those made to the War Department or the Department of the Navy) of any airplane, powered with a single engine of not more than 500 horsepower, that has been used other than for the purpose of sale.

(b) *Maximum prices*—(1) *How to determine the maximum price*. The maximum price for any used airplane

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>The maximum prices established by this section apply both to airworthy and non-airworthy airplanes. However, lower prices than those established by this section may be charged, demanded, paid or offered. Accordingly, it is recognized that when a non-airworthy airplane is sold, the selling price will probably be lower than the maximum price established by this section, in order to compensate the buyer for needed repairs.

No. 4—4

covered by this section shall be determined as follows:

(i) The seller shall first determine the base price as follows:

(a) The seller shall first find the price listed in paragraph (d) for the airplane when new. If no price is listed in paragraph (d) for the airplane, the seller shall find the price listed in paragraph (d) for the nearest equivalent new airplane of the same make. An "equivalent airplane" is one that is similar to the one being priced in size, equipment, power, condition and ability to function. If no price is listed in paragraph (d) for an equivalent airplane of the same make, the seller shall find the price listed in paragraph (d) for the nearest equivalent airplane of a different make.

(b) The seller shall then add to the price determined under (a) above the airplane manufacturers' installed list price (determined in accordance with subparagraph (2)) for any extra equipment which was installed in the airplane on the date of its acquisition when new by the original purchaser or whose date of installation cannot be determined. "Extra equipment" means any equipment which would normally be furnished only at an additional cost with the airplane listed in paragraph (d), which is used as a basis for pricing under (a) above.

(c) The seller shall then deduct from the resultant price the airplane manufacturer's installed list price (determined in accordance with subparagraph (2)) for any item of equipment with which the airplane is not equipped on the date of sale and which the manufacturer furnished at no extra cost with the airplane which is listed in paragraph (d), and used as a basis for pricing under (a) above.

(ii) The seller shall then subtract from the base price an amount for depreciation. This amount shall be determined by multiplying 8% of the base price by the number of years from the date of acquisition by the original purchaser for use of the airplane when new to the date of sale. In measuring that period of time, the number of years is to be calculated to the nearest quarter of a year and the airplane shall be deemed to be not less than one nor more than ten years old.

(iii) The seller shall then add to the resultant price the depreciated value of extra equipment installed after date of acquisition of the airplane when new by the original purchaser for use. "Extra equipment" means supplementary equipment normally furnished to the purchaser at an extra cost when he purchases the type of airplane in question. The depreciated value of extra equipment shall be determined as follows: The seller shall subtract an amount for depreciation from the airplane manufacturer's installed list price (determined

in accordance with subparagraph (2)) of the extra equipment. The amount for depreciation shall be determined by multiplying 8% of this installed list price by the number of years from the date of installation of the extra equipment to the date of sale. In measuring that period of time, the number of years is to be calculated to the nearest quarter of a year and the equipment shall be deemed to be not less than one nor more than 10 years old. If the seller cannot determine the date of installation of the extra equipment, he may not add the depreciated value thereof to the depreciated value of the airplane. In such case, the extra equipment is taken into account in determining the base price in accordance with (i) above.

(iv) The seller shall then deduct an amount for the number of hours of normal engine wear since the last overhaul. This deduction shall be determined by multiplying the number of hours of use since the last overhaul of the engine by the amount set forth in the following table for an engine of the same horsepower:

Horsepower:	Amount
Less than 50.....	\$0.20
50 to 59, inclusive.....	.40
60 to 145, inclusive.....	1.20
146 to 225, inclusive.....	1.45
226 to 500, inclusive.....	2.00

(2) *Installed list price*. The "installed list price" of any equipment shall be the first applicable of the following:

(i) The October 1, 1941, installed list price, or lacking that, the latest installed list price of the manufacturer of the airplane for the same equipment installed in the same airplane;

(ii) The October 1, 1941, installed list price, or lacking that, the latest installed list price of the manufacturer of the airplane for similar equipment installed in the same airplane;

(iii) The October 1, 1941, installed list price, or lacking that, the latest installed list price of the manufacturer of another airplane for the same equipment installed in a similar airplane;

(iv) The October 1, 1941, installed list price, or lacking that, the latest installed list price of the manufacturer of another airplane for similar equipment installed in a similar airplane; or

(v) If none of the above is applicable, the maximum price of the used airplane must be determined under paragraph (c).

(3) *Example of determination of maximum price*.

1. Price listed in paragraph (d) for the same or nearest equivalent airplane. (See subparagraph (1) (i) (a)).

2. Sum of airplane manufacturer's October 1, 1941, installed list prices for extra equipment installed in airplane at time of original delivery or for which installation date cannot be determined. (See subparagraph (1) (i) (b)).

8. Item 1 plus item 2. -----  
 4. Sum of airplane manufacturer's October 1, 1941, installed list price for standard equipment with which airplane is not equipped at time of sale. (See subparagraph (1) (i) (c)). -----  
 5. Item 3 minus item 4 (Base price). -----  
 6. Depreciated value of item 5. (See subparagraph (1) (ii)). -----  
 7. Sum of the depreciated values of extra equipment installed after date of delivery to original purchaser. (See subparagraph (1) (iii)). -----  
 8. Item 6 plus item 7. -----  
 9. Deduction for hours of normal engine wear since last overhaul. (See subparagraph (1) (iv)). -----  
 10. Maximum price. Item 8 minus item 9. -----

(c) *Specific authorization of a maximum price.* The maximum price for any used airplane, covered by this section, that cannot be priced under paragraph (b) shall be a price, in line with the level of maximum prices established by this section, specifically authorized by the Office of Price Administration. Any seller seeking such an authorization shall file an application with the Office of Price Administration, Washington, D. C. If the seller does not file under this paragraph, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this section.

(d) *List prices of new airplanes:*

AEROCRAFT (TIMM)

Model	Engine	Hp.	List price
2-SA.....	Kinner.....	160	\$4,880.00

AEROMARINE KLEMM

L-26-A.....	LeBlond.....	60-65	\$2,500.00
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AERONCA

50-O.....	Continental.....	50	\$1,695.00
50-F.....	Franklin.....	50	1,665.00
50-L.....	Lycoming.....	50	1,695.00
50-C.....	Continental.....	65	1,795.00
50-LA.....	Lycoming.....	50	1,635.00
50-LB.....	Lycoming.....	65	1,695.00
50-TC.....	Continental.....	50	1,495.00
50-TO.....	Continental.....	65	1,585.00
50-TF.....	Franklin.....	60	1,390.00
50-PF.....	Franklin.....	65	1,490.00
50-TL.....	Lycoming.....	50	1,445.00
50-TL.....	Lycoming.....	65	1,485.00
50-TAO.....	Continental.....	65	1,660.00
50-TAF.....	Franklin.....	65	1,585.00
50-TAL.....	Lycoming.....	65	1,570.00
50-OA, Super Chief, Stand.	Continental.....	65	1,995.00
50-LB, Super Chief, Stand.	Lycoming.....	65	1,910.00
KM.....	Menasco.....	50	1,795.00
C-2.....	Aeronca.....	26	1,245.00
C-3.....	Aeronca.....	36	1,890.00
K.....	Aeronca.....	40	1,480.00
KCA.....	Continental.....	50	1,795.00
KO.....	Continental.....	40	1,200.00
LO.....	Warner.....	90	3,275.00
KF.....	Franklin.....	50	1,725.00
CF.....	Franklin.....	40	1,445.00
S-50-F.....	Franklin.....	50	1,464.00
S-50-O.....	Continental.....	50	1,584.00
S-50-C.....	Continental.....	65	1,694.00
S-50-OA (Stand. Seaplane).	Continental.....	65	1,894.00

AIRCRAFT MECHANICS

Model	Engine	Hp.	List price
Eagle Rock A-15	Kinner.....	100	\$3,400.00
Flyabout D-2	Szekeley.....	45	1,675.00
Eagle Rock A-2	Curtis OX-5.....	90	1,850.00
Eagle Rock A-13	Curtis Challenger.....	185	4,350.00
Eagle Rock A-14	Wright.....	175	5,247.00
Eagle Rock A-12	Comet.....	150	5,247.00

AMERICAN EAGLE

Lincoln 201.....	Kinner.....	100	\$3,995.00
Eaglet 230.....	Szekeley.....	39	1,475.00
Eaglet B-31.....	Szekeley.....	45	1,575.00

ALLIANCE

Argo.....	Hess-Warrior.....	115	\$4,500.00
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ARROW

V-8, Model F.....	V-8, Model F.....	82	\$1,500.00
Arrow-Sport.....	LeBlond.....	70	2,700.00

BARNARD

New Standard (D-29-A).....	Kinner.....	100	\$4,185.00
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BEEHCRRAFT

B-17-E.....	Wright.....	285	\$12,930.00
B-17-L.....	Jacobs.....	225	13,000.00
B-17-R.....	Wright.....	330-420	14,500.00
C-17-B.....	Jacobs.....	285	9,250.00
C-17-E.....	Wright.....	285	10,384.00
C-17-L.....	Jacobs.....	225	6,840.00
C-17-R.....	Wright.....	320-420	11,000.00
D-17-A.....	Wright.....	320-350	17,800.00
D-17-B.....	Wright.....	420-450	21,100.00
D-17-S.....	Pratt & Whitney.....	400-450	21,100.00
E-17-B.....	Jacobs.....	285	13,580.00
F-17-D.....	Jacobs.....	300-330	14,580.00
E-17-L.....	Jacobs.....	225	9,690.00

BELLANCA

14-9.....	Ken Royce.....	90	\$3,975.00
14-12-F.....	Franklin.....	120	4,375.00
F-2, Skyrocket.....	Pratt & Whitney Wasp.....	450	19,800.00
OH-400 Skyrocket.....	P & W Wasp.....	420	17,950.00
300-W, Pace-maker.....	P & W Wasp.....	300	15,550.00
OH-300 Pace-maker.....	Wright.....	330	15,150.00

BIRD

BW.....	Warner.....	125	\$4,250.00
OJ.....	Jacobs.....	170	4,995.00
BK.....	Kinner.....	100	2,995.00
Bird A.....	Curtis OX-5.....	90	1,995.00
OK.....	Kinner.....	125	4,395.00

BUHL AIRCRAFT

Bull Pup.....	Szekeley.....	45	\$1,250.00
C-A-6.....	Wright.....	330	13,500.00

CESSNA

C-34.....	Warner.....	145	\$4,985.00
C-37.....	Warner.....	145	5,490.00
C-38.....	Warner.....	145	6,490.00
C-146.....	Warner.....	145	7,875.00
C-165.....	Warner.....	165	8,275.00
DC-6B.....	Wright.....	250	9,750.00

COMMAND AIRE

3-C-3A.....	Warner.....	125	\$4,675.00
5C-3.....	Curtis Challenger.....	185	5,600.00

CROWN

Model	Engine	Hp.	List price
B-3.....	Kinner.....	100	\$4,975.00

CULVER

LOA Cadet.....	Continental.....	75	\$2,695.00
LFA Cadet.....	Franklin.....	80	2,895.00
Dart GW.....	Warner.....	90	4,200.00
Dart GW.....	LeBlond.....	90	3,975.00

CURTIS ROBIN

J-1.....	Wright.....	165	\$5,995.00
Robin 4C-1.....	Curtis Challenger.....	185	5,995.00
Robin 4C-1A.....	Curtis Challenger.....	185	7,995.00
Robin 4C-1A.....	Curtis OX-5.....	90	2,495.00

CURTIS WRIGHT

Jr. CW-1.....	Szekeley.....	45	\$1,400.00
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DAVIS

D-1-K.....	Kinner.....	100	\$2,995.00
D-1.....	LeBlond.....	70	2,695.00
D-166.....	LeBlond.....	85	2,795.00

DOYLE

O-2.....	LeBlond.....	65	\$2,995.00
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ENGINEERING RESEARCH

Ercope 415-C.....	Continental.....	65	\$2,695.00
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FAIRCHILD

F-45.....	Wright.....	320-350	\$17,490.00
KR-34-O.....	Wright.....	170	5,075.00
KR-21-B.....	Kinner.....	125	4,625.00
M-62-A.....	Ranger.....	175	5,610.00
M-62-B.....	Warner.....	165	9,057.00
22-O7A.....	Cirrus.....	90	2,775.00
22-O7E.....	Warner.....	125	3,825.00
22-O7D.....	Wright-Gypsy.....	90	2,090.00
22-O7G.....	Warner.....	145	4,975.00
24-C8A.....	Warner.....	125	3,850.00
24-C8O.....	Warner.....	145	4,990.00
24-C8D.....	Ranger.....	145	4,990.00
24-C8E.....	Warner.....	145	5,390.00
24-C8F.....	Ranger.....	145	5,610.00
24-G (Stand).....	Warner.....	145	5,290.00
24-G (Deluxe).....	Warner.....	145	5,890.00
24-H.....	Ranger.....	160	6,100.00
24-J.....	Warner.....	145	6,100.00
24-K.....	Ranger.....	160-165	6,530.00
24-R9 (Stand).....	Ranger.....	165	6,530.00
24-R9 (Deluxe).....	Ranger.....	165	7,230.00
24-R40.....	Ranger.....	175	7,230.00
24-W9 (Stand).....	Warner.....	145	6,100.00
24-W9 (Deluxe).....	Warner.....	145	6,890.00
24-W40.....	Warner.....	145	6,180.00
24-W41.....	Warner.....	145	6,780.00
24-W41-A.....	Warner.....	145	7,930.00
24-C8.....	Cirrus.....	90	3,360.00
22-C-7.....	Rover.....	75	2,075.00
22-C-7F.....	Warner.....	145	4,410.00
KR-21.....	Kinner.....	100	4,375.00
71-A.....	P & W Wasp.....	420	18,400.00
Pilgrim KR-34D.....	Comet.....	105	5,075.00
42.....	Wright.....	830	12,000.00

FLEET

2.....	Kinner.....	100	\$3,085.00
7.....	Kinner.....	125	4,095.00
8.....	Kinner.....	125	5,185.00
9.....	Kinner.....	125	5,185.00
10.....	Kinner.....	125	4,951.00

FOKKER

Super-Universal.....	P & W Wasp.....	420	\$17,500.00
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## FRANKLIN

Model	Engine	Hp.	List price
90.....	Lambert (Mono-coupe).	90	\$3,350.00

## FUNK

B.....	Funk E.....	63	\$1,950.00
B-75-L.....	Lycoming.....	75	2,100.00

## GENERAL

Aristocrat.....	Warner.....	125	\$4,250.00
Aristocrat 102-E.....	Wright.....	175	5,250.00
II-C.....	Warner.....	125	4,000.00

## GREAT LAKES

2T-1A.....	Cirrus.....	100	\$2,885.00
2T-1E.....	Cirrus.....	95	3,185.00

## HAMILTON

H-45.....	P & W Wasp.....	420	\$24,500.00
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## HAMMOND

100.....	Kinner.....	100	\$2,935.00
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## HARLOW

PJ-C2.....	Warner.....	145	\$12,000.00
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## HEATH

ONA-40.....	Continental.....	37	\$1,224.00
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## HOWARD

DGA-8.....	Wright.....	320-350	\$14,850.00
DGA-11.....	Pratt & Whitney Wasp, Jr.	400-450	17,685.00
DGA-9.....	Jacobs.....	285	8,980.00
DGA-12.....	Jacobs.....	300-330	12,885.00
DGA-15P.....	Pratt & Whitney Wasp, Jr.	400-450	21,885.00
DGA-15W.....	Wright.....	320-350	16,885.00
DGA-15J.....	Jacobs.....	300-330	17,885.00
DGA-18.....	Warner.....	125	7,485.00
DGA-18K.....	Kinner.....	160	8,685.00

## INLAND

W-500.....	Warner.....	125	\$4,985.00
S-300.....	LeBlond.....	65	3,485.00

## INTERSTATE

S-1.....	Continental.....	50	\$1,875.00
S-1A.....	Continental.....	65	2,095.00
S-1A-85F.....	Franklin.....	85	2,650.00
S-1A-65F.....	Franklin.....	65	2,053.00
S-1A-90F.....	Franklin.....	90	2,650.00

## IRELAND AMPHIBIAN

N-2-C.....	P & W Wasp.....	420	\$23,000.00
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## KEYSTONE

K-64 Commuter.....	Wright.....	330	\$16,800.00
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## KINNER

Model	Engine	Hp.	List price
B Sportster.....	Kinner.....	125	\$3,230.00
B-2 Sportwing.....	Kinner.....	125	3,830.00
K Sportster.....	Kinner.....	100	2,030.00
R Playtoy.....	Kinner.....	100	2,530.00
C-7 Envoy.....	Kinner.....	330	12,530.00

## LAIRD

LC-B.....	Wright.....	220	\$2,850.00
LC-RW-450.....	P & W Wasp.....	420-450	21,000.00
LC-R-300.....	Wright.....	330	11,500.00
LC-B-300.....	Wright.....	330	10,500.00

## LINCOLN

PT-K.....	Kinner.....	100	\$3,835.00
PT-W.....	Warner.....	125	4,315.00
PT-T.....	Brownback Tiger.....	60	3,630.00

## LOCKHEED

Vega L-C.....	P & W Wasp.....	450	\$17,600.00
Air Express.....	P & W Wasp.....	420-450	19,035.00

## LUSCOMBE

Model 8, Trainer.....	Continental.....	50	\$1,835.00
8-A, Stand.....	Continental.....	65	2,155.00
8A-1, Silvalre.....	Continental.....	65	2,035.00
Trainer.....	Continental.....	65	2,035.00
Model 8B-2.....	Lycoming.....	65	2,035.00
8A-2, Silvalre.....	Continental.....	65	2,035.00
Mester.....	Continental.....	65	2,035.00
8-B.....	Lycoming.....	65	1,835.00
8-C.....	Continental.....	75	2,735.00
8C-1, Silvalre.....	Continental.....	75	3,035.00
(Deluxe).....	Continental.....	75	3,035.00
8D, Deluxe.....	Continental.....	75	3,035.00
8D-1, Trainer.....	Continental.....	75	2,770.00
Phantom I.....	Warner.....	145	5,675.00

## MERCURY

Chic T-2.....	LeBlond.....	60	\$1,720.00
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## MEYERS

OTW.....	Warner.....	125	\$7,000.00
OTW.....	Warner.....	145	7,220.00
OTW.....	Ken Royce.....	125	6,375.00

## MONOCOACH

Monocoach.....	Wright.....	220	\$3,220.00
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## MONOCOUPÉ

90-A.....	Lambert.....	90	\$3,755.00
90-AF.....	Franklin.....	90	3,815.00
Monocoupe 90-J.....	Warner.....	90	3,900.00
110 Special.....	Warner.....	145	7,000.00
110.....	Warner.....	125	4,455.00
90.....	Lambert (Mono-coupe).....	90	2,835.00
70-V.....	Velle.....	70	2,335.00
D-145.....	Warner.....	145	5,050.00

## MONOPREP

Monoprep.....	Lambert (Monocoupe).....	C	\$2,835.00
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## MOTH

60-GM.....	Gypsy.....	85	\$3,820.00
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## NICHOLAS-BEASLEY

Model	Engine	Hp.	List price
NB-2-G.....	Genet Mark 2.....	80	\$3,900.00
NB-8-G.....	Genet Mark 2.....	80	1,750.00

## PARKS

P-1.....	OX-5.....	90	\$1,700.00
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## PARAMOUNT

Cakinaire.....	Wright.....	175	\$5,720.00
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## PHEASANT

H-10.....	Curtis OX-3.....	60	\$2,850.00
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## PIPER

J3C-30.....	Continental.....	50	\$1,265.00
J3F-30.....	Franklin.....	50	1,225.00
J3L.....	Lycoming.....	50	1,225.00
J3L.....	Lycoming.....	50	1,225.00
J3C-35.....	Continental.....	65	1,615.00
J3F-35.....	Franklin.....	65	1,575.00
J3F-35.....	Franklin.....	65	1,530.00
J3L-35.....	Lycoming.....	65	1,530.00
J4.....	Continental.....	50	1,535.00
J4-A.....	Continental.....	65	1,535.00
J4-B.....	Franklin.....	60	1,535.00
J4-E.....	Continental.....	75	2,575.00
J4-F.....	Lycoming.....	65	1,945.00
J5-A.....	Continental.....	75	2,150.00
J5-B.....	Lycoming (Gear-ed).....	75	2,150.00
J3P.....	Lenape.....	50	1,435.00
P-2.....	Aeromarine.....	40	1,425.00
P-2.....	Continental.....	37-40	1,425.00
J-2.....	Continental.....	40	1,270.00
J-3 Cub Trainer.....	Continental.....	40	1,055.00
J3C-35.....	Continental.....	40	1,270.00

## PITCAIRN

7A-75.....	Wright.....	250	\$3,000.00
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PORTERFIELD  
(Columbia)

CP-55, Stand.....	Continental.....	50	\$1,005.00
CP-55, Deluxe.....	Continental.....	50	1,835.00
CP-55, Stand.....	Continental.....	65	1,755.00
CP-55, Deluxe.....	Continental.....	65	2,625.00
CP-55, Stand.....	Continental.....	65	2,555.00
Scapharo.....	Continental.....	65	2,555.00
CP-55, Deluxe.....	Continental.....	65	2,835.00
Scapharo.....	Continental.....	65	3,245.00
CP-55, Instru-ment Trainer.....	Continental.....	45	1,035.00
CP-45.....	Continental.....	45	1,035.00
FP-55, Stand.....	Franklin.....	65	1,760.00
FP-55, Deluxe.....	Franklin.....	65	1,925.00
LP-55, Stand.....	Lycoming.....	65	1,725.00
LP-55, Deluxe.....	Lycoming.....	65	1,935.00
75-C.....	Continental.....	75	2,000.00
75-70.....	LeBlond.....	60-70	2,220.00
75-W.....	Warner, Jr.....	60	2,695.00

## REARWIN

6000-M.....	Meauro.....	125	\$3,895.00
7000.....	Ken Royce.....	70	2,195.00
8000.....	LeBlond.....	80	3,695.00
8500.....	LeBlond.....	85	2,701.00
9125.....	Ken Royce.....	125	4,235.00
9135.....	Ken Royce.....	125	4,695.00
9135-T.....	Ken Royce.....	125	5,095.00
9000.....	Warner.....	90	2,020.00
9000-L.....	LeBlond.....	90	3,235.00
9000-KH.....	Ken Royce.....	90	3,235.00
175.....	Continental.....	75	2,435.00
150.....	Continental.....	80	2,765.00
150-F.....	Franklin.....	80	2,545.00
6000.....	Cirrus.....	60	3,425.00
6000-CO.....	Continental.....	125	6,070.00
6000-C.....	Curtis Challenger.....	150	6,720.00

## ROSE

Model	Engine	Hp.	List price
Parakeet A-1	Continental	40	\$1,475.00

## RYAN

SCW-145	Warner	145	\$7,000.00
ST-3KR	Kinner	160	8,400.00
STA	Menasco	125	5,725.00
ST	Menasco	95	3,955.00
B-7	P & W Wasp	420	16,985.00
B-5	Wright	330	12,985.00

## ST. LOUIS

Cardinal C-2-90	LeBlond	90	\$3,750.00
Cardinal C-2-110	Kinner	100	3,985.00

## SECURITY

Airster S-1A	Kinner	100	\$2,495.00
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## SIOUX

Coupe 90	Lambert	90	\$3,365.00
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## SKYLARK

8	Rover	75	\$1,995.00
8-95	Cirrus	95	1,995.00

## SPARTAN

C-3-225	Wright	250	\$7,750.00
7W	Pratt & Whitney	330-450	16,500.00
CB-165	Wasp	175	5,975.00

## STAR

Cavalier E	Lambert	90	\$3,310.00
Cavalier	Velle	65	2,985.00

## STATES

B-3	Kinner	100	\$3,645.00
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## STEARMAN-HAMMOND

Y-18	Menasco	150	\$7,150.00
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## STEARMAN

4E	P & W Wasp	450	\$16,000.00
4D	P & W Wasp	300	12,500.00
C-3-R	Wright	250	8,500.00
4-C	Wright	330	12,500.00
4-CM-1	Wright	330	12,500.00

## STINSON

Stinson 10	Continental	80	\$3,370.00
10-A, Deluxe	Franklin	90	4,240.00
HW-75	Continental	75	2,995.00
Jr.-S	Lycoming	215	4,995.00
Jr.-R	Lycoming	215	5,594.00
Jr.-SR	Lycoming	210	4,395.00
Jr.-R-2	Lycoming	240	5,995.00
Jr.-R-3	Lycoming	249	6,495.00
SM-7-B	Pratt & Whitney Wasp	800	8,995.00
SM8A, Jr.	Lycoming	215	5,775.00
SR-5C	Lycoming	260	7,385.00
SR-5A	Lycoming	245	6,550.00
SR-5E	Lycoming	225	6,775.00
SR-6	Lycoming	245	6,770.00
SR-6A	Lycoming	225	5,995.00
SR-6B	Lycoming	260	6,995.00
SR-7A	Lycoming	225	6,485.00
SR-7B	Lycoming	245	7,485.00

## STINSON—Continued

Model	Engine	Hp.	List price
SR-7C	Lycoming	260	\$7,885.00
SR-8A	Lycoming	225	7,550.00
SR-8B	Lycoming	245	7,855.00
SR-8C	Lycoming	280	8,685.00
SR-8D	Wright	285	10,985.00
SR-8E	Wright	350	11,985.00
SR-9B (Stand)	Lycoming	245	8,485.00
SR-9B D (Deluxe)	Lycoming	245	9,385.00
SR-9CD (Deluxe)	Lycoming	260	9,785.00
SR-9DD (Deluxe)	Wright	285	11,585.00
SR-9ED (Deluxe)	Wright	320	12,785.00
SR-9FD (Deluxe)	Wasp	450	16,785.00
SR-10-B	Lycoming	245	8,985.00
SR-10C	Lycoming	260	9,685.00
SR-10D	Wright	285	13,585.00
SR-10E (Deluxe)	Wright	320-350	13,985.00
SR-10F	Pratt & Whitney Wasp	450	17,985.00
SR-10G	Lycoming	260	12,585.00
SR-10K	Wright	450	17,585.00
W	P & W Wasp	300	8,995.00
SM-8B	Wright	250	8,495.00

\*Note: Add \$485.00 to List Price where constant speed governor is added.

## SWALLOW

TP	Curtis OX-5	50	\$2,878.00
TP-K	Kinner	50	1,235.00

## TAYLORCRAFT

BL-65	Lycoming	65	\$1,695.00
BC-65	Continental	65	1,835.00
BC-12	Continental	65	2,235.00
BF-12	Franklin	65	2,175.00
BL-12	Lycoming	65	2,105.00
BLT-60	Lycoming	60	1,585.00
BLT-65	Lycoming	65	1,795.00
BFT-65	Franklin	65	1,935.00
DC-65-D	Continental	65	1,995.00
DF-65-D	Franklin	65	1,955.00
Model A	Continental	40	1,565.00

## TIMM

PT-220-C	Continental	220	\$10,850.00
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## TRAVELAIRE

4000	Wright	220	\$3,100.00
E-4000	Wright	175	6,425.00
12Q	Wright Gypsy	90	3,500.00
12W	Warner	125	4,455.00
16E	Wright	175	4,600.00
16K	Kinner	125	4,488.00
A-6000-A	P & W Wasp	420-450	16,500.00
4-D	Wright	250	7,960.00
S-6000-B	Wright	330	13,500.00

## VEGA

35-70	Menasco	125	\$9,030.00
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## VERVILLE

AT	Continental	165	\$5,250.00
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## VIKING

Kitty-hawk B-4	Kinner	100	\$4,250.00
Kitty-hawk B-2	Siemens-Halske SH-14	105	4,650.00
Kitty-hawk B-8	Kinner	125	4,250.00

## WACO

Model	Engine	Hp.	List price
ACC-8	Jacobs	300-330	\$10,495.00
AQC-6	Jacobs	300-330	11,600.00
ARE	Jacobs	300-330	14,900.00
AVN-8	Jacobs	300	12,950.00
BSO	Wright	175	9,370.00
CSO	Wright	250	7,335.00
CUC-1	Wright	250-285	8,400.00
CPF-1	Wright	250	8,600.00
CTO (Tapering)	Wright	250	8,625.00
CJO	Wright	250	8,165.00
DGC-7	Wright	285	10,300.00
DQC	Wright	285	8,975.00
EGC-7	Wright	320-350	11,125.00
EGC-8	Wright	320-370	12,860.00
EQC-6	Wright	300-330	9,650.00
HRE	Lycoming	235-300	14,900.00
INF	Kinner	125	4,110.00
KNF	Kinner	100	3,630.00
MNF	Menasco	125	4,675.00
PBF	Jacobs	170	4,415.00
QCF	Continental	165	4,985.00
RNF	Warner	125	4,210.00
SRE	P & W Wasp	400-450	18,900.00
UKO	Continental	210	6,235.00
UKS-7	Continental	225	6,400.00
UPF-7	Continental	220	8,600.00
UBF	Continental	210	5,025.00
UEO	Continental	210	5,985.00
UIC	Continental	210	5,935.00
UMF	Continental	210	6,030.00
UOC	Continental	210	6,630.00
VKS (Narrow Landing gear)	Continental	210-250	5,890.00
VKS-7 (Wide Landing gear)	Continental	210-250	8,190.00
VKS-7F (Special Cross Country)	Continental	240	12,600.00
YKS-6	Jacobs	225	4,095.00
YKS-7 (Narrow Landing gear)	Jacobs	225	5,695.00
YKS-7 (Wide Landing gear)	Jacobs	225	8,160.00
YPF-7	Jacobs	250	7,895.00
YQC-6	Jacobs	225	8,875.00
YOC	Jacobs	225	8,895.00
YPF-6	Jacobs	225	7,295.00
YKO	Jacobs	225	8,340.00
YMF	Jacobs	225	7,955.00
ZKS-7 (Wide Landing gear)	Jacobs	225-285	8,630.00
ZKS-7 (Narrow Landing gear)	Jacobs	225-285	6,435.00
ZGC-7	Jacobs	235	8,435.00
ZGC-8	Jacobs	235	9,535.00
ZVN-8	Jacobs	235	10,635.00
ZPF-6	Jacobs	235	7,635.00
ZPF-7	Jacobs	235	8,935.00
ZQC-6	Jacobs	235	10,300.00
QSO	Continental	165	5,675.00
QDO	Continental	165	6,930.00
UBA	Continental	210	4,895.00
PBA	Jacobs	170	4,235.00
PSA	Jacobs	170	5,175.00
RBA	Warner	125	4,195.00
S-3H-D	P & W Wasp	400	16,100.00
ASO	Wright	220	7,335.00
ATO	Wright	220	8,625.00

## WELCH

Model	Engine	Hp.	List price
OW-6M	Aerona	36	\$990.00
OW-5M	Continental	40	990.00

## WILEY POST

Wiley Post A	Straughan (Wiley Post)	40	\$1,438.00
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## WHITE

New Standard D-25-A	Wright	250	\$9,750.00
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This amendment shall become effective January 8, 1944.



(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-153; Filed, January 4, 1944;  
12:10 p. m.]

**PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT**

[RO 1B,<sup>1</sup> Amdt. 3]

**MILEAGE RATIONING: TIRE REGULATIONS FOR PUERTO RICO**

Ration Order 1B is amended in the following respects:

1. Section 1.3 (a) (18) is amended to read as follows:

(18) "Passenger-type camelback" means Grade C or Grade F camelback as defined by the War Production Board.

2. Section 1.3 (a) (31) is amended by deleting therefrom the words "or Grade C".

3. Section 1.6 (d) is deleted.

4. Section 2.2 (d) is amended by the addition of a new subparagraph (5) to read as follows:

(5) An applicant who is a member of the Army or Navy may obtain a certificate for any grade of tire or tube to equip a passenger automobile which he operates on official business, if he presents to the Board a certification of the Commanding General Headquarters Antilles Department or of the Commandant of the 10th Naval District stating that such passenger automobile is actually operated by the applicant on official business.

5. Section 2.4 (b) (3) is deleted.

6. Section 2.7 is amended by the addition of a new paragraph (g) to read as follows:

(g) *Allotment of camelback to recappers.* The Director may issue certificates to recappers authorizing the acquisition of allotments of camelback whenever he determines that allotments of camelback are necessary to insure the full utilization of the recapping facilities of the territory.

7. The third sentence of section 2.23 (a) is amended to read as follows: "Upon transfer of any motor vehicle to which the provisions of this section apply, the record pertaining to the vehicle, and Parts D for tires mounted on the vehicle, must be transferred with it."

8. Section 2.26 (a) is amended by changing the period at the end to a comma, and by adding the following words after the comma: "or as authorized in writing by the Director."

9. In section 2.31 (d) (1), the phrase "no passenger-type camelback shall be used in recapping a truck-type tire to be mounted on a truck, bus, farm implement, earth-mover, road-grader or similar off-the-road vehicle, and" is deleted.

10. Section 3.4 (a) (2) is amended to read as follows:

(2) File a report on OPA Form PRR-17 (Revised), in accordance with the instructions thereon, for each month, setting forth the stocks on hand at the beginning of the month, the stocks received during the month, the stocks sold or otherwise transferred during the month, and the stocks on hand at the close of business on the last day of the month. The quantities of tires and tubes shall be reported as required by the revised form to show size, type and grade of new and used tires and tubes. The movement of unserviceable tires and tubes during the month shall also be set forth in the report. A separate report for each establishment where tires or tubes are located, whether such establishment is used for purposes of sale or storage, shall be filed with the Director on or before the fifth day after the end of each month.

This amendment shall become effective January 6, 1944.

(Pub. Law 671, 78th Cong.; as amended by Pub. Law 89, 77th Cong., and by Pub. Law 507, 77th Cong., Pub. Law 421 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719, W.P.B. Dir. No. 1, Supp. Dir. No. 1-J, as amended, 7 F.R. 562, 5043, 8731, Supp. Dir. No. 1-Q, as amended, 8 F.R. 2013, Rev. Gen. Order No. 20, 8 F.R. 2416)

Issued this 31st day of December 1943.

JORGE L. CORDOVA,  
Territorial Director,  
Puerto Rico.

Approved:

JAMES P. DAVIS,  
Regional Administrator,  
Region IX.

[F. R. Doc. 44-174; Filed, January 4, 1944;  
3:39 p. m.]

**PART 1351—FOOD AND FOOD PRODUCTS**

[MPR 285, Amdt. 5]

**IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL**

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.\*

In § 1351.1254a the headnote is amended, and a new paragraph (b) is added, to read as follows:

§ 1351.1254a *Adjustment of maximum prices for wholesalers and jobbers by appropriate regional or district office.*

(b) In any instance where there is hauling between a wholesaler's customary receiving point and his place of business or his ripening facilities, any regional office of the Office of Price Administration or such district office as may be authorized by such regional office, may adjust the wholesaler's maximum prices upward not to exceed 35¢ per cwt., to provide for the costs of such hauling.

\*Copies may be obtained from the Office of Price Administration.

No adjustment shall be made in any instance or in any manner which will increase the price of bananas at retail, or which will cause or tend to cause a shortage of bananas in another area or locality, or to provide for the cost of local hauling within the free delivery zone surrounding the wholesaler's customary receiving point.

This amendment shall become effective January 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of January, 1944.

JAMES F. BROWNLEE,  
Acting Administrator.

[F. R. Doc. 44-175; Filed, January 4, 1944;  
3:29 p. m.]

**PART 1351—FOOD AND FOOD PRODUCTS**

[MPR 319,<sup>1</sup> Amdt. 11]

**CERTAIN BAKERY PRODUCTS**

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

The proviso at the end of § 1351.1903 (c) is amended to read as follows:

*Provided, That when a producer sells the same product both to retailers for sales to ultimate consumers and directly to ultimate consumers he may make sales directly to ultimate consumers at the maximum prices provided by § 1351.1904 for sales by such retailers to ultimate consumers.*

This amendment shall become effective January 4, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-176; Filed, January 4, 1944;  
3:38 p. m.]

**PART 1499—COMMODITIES AND SERVICES**

[Rev. SR 14 to GMPR, Amdt. 75]

**TAPIOCA PRODUCTS OTHER THAN FLOUR AND FOODS**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 4.18 is added to read as follows:

Sec. 4.18 *Tapioca products other than flour and foods—(a) Applicability—(1) Products.* This section applies to tapioca adhesives, sizings and dextrines. It does not apply to products consisting entirely of unprocessed tapioca flour nor to edible products.

<sup>1</sup> 8 F.R. 1803, 2719, 2720, 3346, 7196, 10593, 13333, 15370.

<sup>1</sup> 8 F.R. 9551, 12695.

(2) *Geographical applicability.* This section 4.18 applies in the forty-eight States of the United States and the District of Columbia.

(b) *Maximum prices.* (1) The maximum price per 100 pounds for the sale and delivery of a tapioca product by any person, shall be the seller's maximum price as determined under the General Maximum Price Regulation plus an amount computed by multiplying \$1.38 by the percentage by weight of tapioca flour or dextrine contained in the tapioca product.

Where such a tapioca product is sold in a dry state, the maximum price set forth in this subparagraph (1) does not include containers and the seller may make an additional charge for containers. Such additional charge shall not exceed the maximum price for the container actually used as established by the applicable maximum price regulation of the Office of Price Administration, or the actual delivered cost of the container to the seller of the tapioca product, whichever is lower.

(2) Where the seller's maximum price is determined under § 1499.3 (b) of the General Maximum Price Regulation, the maximum price to be used for the comparable product shall be the maximum price established under § 1499.2 (a) (1), and the report or application required by § 1499.3 (b) shall be filed with the Chemicals and Drugs Branch, Office of Price Administration, Washington, D. C. Such report or application shall include the percentage by weight of tapioca in the product.

(c) *Notification.* Every seller who increases his maximum price on a tapioca product under the provisions of this section shall, with or prior to the first delivery at the increased price, furnish each purchaser who is not an ultimate consumer a copy of this section 4.18 of Revised Supplementary Regulation No. 14, and a written notice containing the following information:

(1) Maximum price for sales of the product to that purchaser as determined under the General Maximum Price Regulation.

(2) Adjusted maximum price for sales of the product to that purchaser under this section.

(d) *Report.* Each seller of a tapioca product shall file with the Chemicals and Drugs Branch, Office of Price Administration, Washington, D. C. before March 6, 1944, a report on OPA Form No. 692-666 containing the information specified therein. A supplemental report shall be filed within thirty days after the end of each calendar quarter beginning with the calendar quarter which ends on March 31, 1944. Each such supplemental report shall cover tapioca products not included in previous reports. Copies of the form may be obtained from the district, regional or national offices of the Office of Price Administration. A form copied from such form may be used.

This amendment shall become effective January 11, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bu-

reau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-222; Filed, January 5, 1944;  
12:00 m.]

#### PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 348, Amdt. 22]

##### LOGS AND BOLTS

A statement of considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 348 is amended by the addition of a new paragraph (h) to section 9, as follows:

(h) *Limitations on suspensions.* In any case where suspensions are granted to petitioners under this section 9, the suspension is subject to the limitation that during the suspension period the petitioners may not pay prices any higher than those proposed in the petitions which they filed.

This amendment shall become effective January 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-223; Filed, January 5, 1944;  
12:01 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amdt. 94]

##### MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order 16 is amended in the following respects:

1. The last sentence of section 3.4 (d) is amended to read as follows:

He must, within five days after the transfer, send one copy of the certification to the board named therein, and file the other with his report on OPA Form R-1606, OPA Form R-1608 (Revised), OPA Form R-1607, OPA Form R-1609 or OPA Form R-1609 (Revised) for the reporting period in which the transfer was made.

2. Section 3.4 (e) is amended by inserting in the first sentence after the phrase "OPA Form R-1609" the phrase "or OPA Form R-1609 (Revised)".

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 16115, 16198, 16204, 16297.

<sup>2</sup> 8 F.R. 13128, 13394, 13980, 14399, 14633, 14764, 14845, 15253, 15454, 15524.

3. Sections 4.11 (a), (b), (d) and (f) are amended by inserting the phrase "OPA Form R-1606 (Revised) or OPA Form R-1607" after the phrase "OPA Form R-1606", and the phrase "or OPA Form R-1609 (Revised)" after the phrase "OPA Form R-1609", wherever those phrases appear therein.

4. Section 4.11 (b) is amended as follows:

a. By inserting after the phrase "on or before May 31, 1943," the following sentence:

Reports on OPA Form R-1606 (Revised), OPA Form R-1607 or OPA Form R-1609 (Revised) for reporting periods ending in November 1943, may be filed on or before January 31, 1944, and for reporting periods ending in December 1943, may be filed on or before February 15, 1944.

b. By inserting before the last sentence the following:

However, a primary distributor who reports on OPA Form R-1609 (Revised) must adopt calendar month reporting periods. If he has not been reporting on a calendar month reporting period basis, his first report on a calendar month reporting period basis on OPA Form R-1609 (Revised) must include his operations from the end of the preceding reporting period to the end of the calendar month covered in the report.

5. Section 4.11 (c) is amended by designating the text as (c) (1) and adding subparagraphs (2), (3), (4) and (5) to read as follows:

(2) A primary distributor who does not import foods covered by this order, and who does not use points to acquire such foods, must report on OPA Form R-1609 (Revised) for his reporting periods beginning after November 30, 1943, if his sales or transfers of such foods from the place where he produces them consist entirely of one or more of the following:

(i) Sales or transfers of meat he slaughtered under a War Food Administration Farm Slaughterer's Permit (including meat from his livestock which he has custom slaughtered);

(ii) Sales or transfers of lard he rendered from the carcasses of swine slaughtered for home consumption (or for consumption on his premises) or slaughtered under a War Food Administration Farm Slaughterer's Permit;

(iii) Sales or transfers of butter he made from cream (or milk) which he produced, if the cream (or milk) was not neutralized or pasteurized;

(iv) Sales or transfers of cheese he made from milk which he produced; or

(v) Sales or transfers of other foods covered by this order which he produced in an amount of not more than \$200 during the month covered by the report.

For reporting periods beginning between October 31, 1943 and November 30, 1943, inclusive, he may use either OPA Form R-1609 or OPA Form R-1609 (Revised). Such a primary distributor need not file a report for any month during which he made no transfer of foods covered by this order (other than

loans permitted by section 3.1 (b)). However, once he reports on OPA Form R-1606 (Revised) or OPA Form R-1607, he may not thereafter report on OPA Form R-1609 (Revised).

(3) Any primary distributor who is not required to report on OPA Form R-1609 (Revised) may report on OPA Form R-1607 for each reporting period beginning on or after December 1, 1943, if he does not sell or transfer, during the period covered by the report, more than \$2,000 worth of foods covered by this order, if he does not import foods covered by this order, and if his acquisitions of such foods for his primary distributor operations during that period do not constitute more than 10% by weight of his total sales and transfers of such foods during the period.

(4) A primary distributor who has more than one primary distributor establishment which are or will be registered together, may file a single report on OPA Form R-1609 (Revised) or OPA Form R-1607 for those establishments only if all of them combined meet the requirements set forth in this section for reporting on such forms.

(5) Any primary distributor who is not required to report on OPA Form R-1609 (Revised) and who does not report on OPA Form R-1607 must report on OPA Form R-1606 (Revised) for each reporting period beginning on or after December 1, 1943. However, for reporting periods beginning between October 31, 1943 and November 30, 1943, inclusive, he may use either OPA Form R-1606 or OPA Form R-1606 (Revised). In addition, a primary distributor who reports on OPA Form R-1606 (Revised), who transfers canned fish, must, at the same time and in the same manner that he makes his report on OPA Form R-1606 (Revised), report on OPA Form R-1606A.

6. The first sentence of section 4.16 (a) is amended by deleting the clause "a record showing his production and processing, by weight, and his acquisitions and transfers," and substituting therefor the clause "a record showing his production, processing, acquisitions and transfers,".

7. Section 4.16 (d) is added to read as follows:

(d) A primary distributor who is required to report on OPA Form R-1606 (Revised) or OPA Form R-1607 must, for every reporting period beginning on or after December 1, 1943, keep a record at his establishment (or, if the establishment is one of a group which has been or will be registered together, at the central office for such group) showing, as of the beginning and end of each such period, the point value of his inventory, as defined in section 4.11 (e), of each of the following foods: Meat, lard, shortening, margarine, cooking and salad oils, butter, rationed cheeses, canned milk and rationed canned fish. He must also keep a similar record with respect to any item which is added to the foods covered by this order, beginning on the date the item is added.

8. Section 4.16 (e) is added to read as follows:

(e) A primary distributor who is required to report on OPA Form R-1606

(Revised) or OPA Form R-1607 must also keep (at the place where he keeps the other records required by this section) a record of the quantity and sizes of each item of canned fish in his inventory as of the beginning and end of each of his reporting periods beginning on or after December 1, 1943.

9. Section 5.8 (a) is amended by adding the following sentence at the end thereof:

(a) \* \* \* In addition, any wholesaler who is required by section 5.10 to file reports on OPA Form R-1310, must keep at that place a copy of each such report filed by him.

10. Section 5.10 is added to read as follows:

SEC. 5.10 *Wholesalers must report inventories of canned fish*—(a) *Who must report.* Every wholesaler who transfers canned fish must file a report on OPA Form R-1310 for each reporting period set forth in section 30.3, giving all the information called for by Schedule B of that form, for items included under the heading "Canned and bottled fish and shellfish."

(b) *Where reports must be filed.* The report must be signed by the wholesaler or by his authorized agent and must be filed by mailing to the Office of Price Administration, care of the Bureau of Census, Washington, D. C., within 8 days after the end of the reporting period. The form is considered filed on time if the envelope is postmarked on or before the last day it is due.

11. The first sentence of section 9.2 (a) is amended to read as follows:

Every "primary distributor" who is required to report on OPA Form R-1606 or OPA Form R-1606 (Revised) must open a separate ration bank account for each of his "primary distributor" establishments.

12. The last sentence of section 13.2 (a) is amended to read as follows:

(a) \* \* \* He must file reports for that establishment beginning for the reporting period in which he started operations there.

13. Section 17.7 (a) (13) is added to read as follows:

(13) Wholesalers must keep a record of canned fish inventories. (section 5.8 (e))

14. Section 17.7 (b) (33) is added to read as follows:

(33) Primary distributors must report inventories of canned fish. (section 4.11 (c))

15. Section 17.7 (b) (34) is added to read as follows:

(34) Wholesalers must report inventories of canned fish. (section 5.10)

16. Section 21.3 (a) is amended by adding at the end thereof the following:

However, a primary distributor shall attach the copy of the Shipper's Export Declaration to his report on OPA Form R-1606, OPA Form R-1606 (Revised), OPA Form R-1607, OPA Form R-1609 or OPA Form R-1609 (Revised) for the re-

porting period in which the export was made.

17. The last sentence of section 22.7 (c) is amended by deleting the phrase "(on OPA Form R-1606 or OPA Form R-1609)".

18. Section 30.3 is added to read as follows:

SEC. 30.3 *Reporting periods for wholesalers who transfer canned fish.* The following are the reporting periods for which wholesalers, who transfer canned fish, are required to report by section 5.10:

1. December 5, 1943 to January 1, 1944, inclusive.
2. January 2 to January 23, 1944, inclusive.
3. January 30 to March 4, 1944, inclusive.
4. March 5 to April 1, 1944, inclusive.
5. April 2 to April 23, 1944, inclusive.
6. April 30 to June 3, 1944, inclusive.
7. June 4 to July 1, 1944, inclusive.
8. July 2 to July 23, 1944, inclusive.
9. July 30 to September 2, 1944, inclusive.
10. September 3 to September 30, 1944, inclusive.
11. October 1 to October 23, 1944, inclusive.
12. October 29 to December 2, 1944, inclusive.
13. December 3 to December 30, 1944, inclusive.

This amendment shall become effective January 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125; 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; Food Directive 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 5th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-221; Filed, January 5, 1944; 12:00 m.]

#### PART 1425—LUMBER DISTRIBUTION

[2d Rev. MPR 215,<sup>2</sup> Amdt. 1]

##### DISTRIBUTION YARD SALES OF SOFTWOOD

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Second Revised Maximum Price Regulation 215 is amended in the following respect:

Second 13 is amended by the addition of a new paragraph (d) to read as follows:

(d) *Special exception for remanufacturing Douglas fir and other West Coast Lumber.* In the case of Douglas fir and other West Coast lumber covered by Revised Maximum Price Regulation 26,<sup>2</sup> the milling charges shown in the above table

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F. R. 14145.

<sup>2</sup> 8 F. R. 7570, 8519, 11503, 12315, 12408.

may be added, and the price and weight of the original size remanufactured may be used in figuring the f. o. b. maximum price where standard sizes of boards and dimension are remanufactured from larger sizes, by the same distribution yard which sells the lumber, subject to the following conditions:

(1) Any yard wishing to compute its remanufacturing charges under this paragraph (d) must make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for specific permission. The applicant must show that he is unable to purchase enough standard sizes of boards and dimensions from mills or concentration yards to meet his orders. He must state total footage of softwood lumber delivered from his yard stock during each of the three months immediately preceding the date of his application. The applicant must also describe the remanufacturing facilities of his yard, including the number and capacity of resaws, planers, etc.

The remanufacturing provisions of this paragraph may be adopted by the yard as soon as application is filed. Permission may be granted by letter or telegram and may be withdrawn at any time for failure to comply with all of the provisions of this paragraph or if it appears that a yard is using it as a method of evading any other provision of this regulation.

(2) In no case will the permission granted under this paragraph be applicable in any one month to more than 30 percent of the average monthly footage of softwood lumber delivered by the yard during the 3 months immediately preceding, or to sales on which the distribution yard mark-up is greater than \$5.00 and 10 percent.

(3) The total charge for ripping, resawing and/or dressing may not include an addition of more than two of these workings per piece. For example, there may be one rip and one resaw; or one resaw and one dressing charge; etc.

(4) Any yard which is granted permission to remanufacture under this paragraph must file with the Lumber Branch, Office of Price Administration, Washington, D. C., on or before the 10th day of each month a statement of the softwood footage shipped and remanufactured by it during the preceding month. Yards operating under this paragraph must keep records available to the Office of Price Administration at all times showing the amount of lumber remanufactured during any month, the nature of the remanufacturing, the size and condition of the lumber before and after remanufacturing, and any additional information which the Office of Price Administration may deem necessary to prevent evasion of the regulation.

This amendment shall become effective January 11, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-220; Filed, January 5, 1944;  
12:00 m.]

### TITLE 33—NAVIGATION AND NAVIGABLE WATERS

#### Chapter I—Coast Guard, Department of the Navy

##### PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

###### DISCHARGE OF ENLISTED PERSONS

The regulations, United States Coast Guard Reserve, 1941 (6 F.R. 1925), as amended, are hereby further amended as follows:

In § 8.6206 the title is amended to read as follows: "Discharge of enlisted persons on inactive duty or training duty."

Section 8.6207 is amended to read as follows:

§ 8.6207 *Honorable discharge.* In time of peace an honorable discharge shall be issued only on the expiration of enlistment. In general, an honorable discharge will carry with it recommendation for reenlistment.

R. R. WAESCHE,  
Commandant.

Approved: December 31, 1943.

FRANK KNOX,  
Secretary of the Navy.

[F. R. Doc. 44-156; Filed, January 4, 1944;  
1:27 p. m.]

### TITLE 49—TRANSPORTATION AND RAILROADS

#### Chapter I—Interstate Commerce Commission

[S. O. 173]

##### PART 97—ROUTING OF TRAFFIC

###### ROUTING OF CARLOAD FREIGHT FROM MONROE OR WEST MONROE, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 4th day of January, A. D. 1944.

It appearing, that both transit and non-transit carload freight originating at Monroe, or West Monroe, Louisiana, is being routed to destinations east of the Mississippi River by the way of common carriers by railroad west of Monroe or West Monroe; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people. *It is ordered, that:*

§ 97.10 (a) *Routing of carload freight from Monroe or West Monroe, Louisiana.* Irrespective of shippers' or carriers' routing, no common carrier by railroad

subject to the Interstate Commerce Act serving Monroe, or West Monroe, Louisiana, shall route any transit or non-transit carload freight to destinations east of the Mississippi River by the way of any route west of the Arkansas & Louisiana Missouri Railway Company to Crossett, Arkansas, or west or north of The Chicago, Rock Island and Pacific Railway Company (Frank O. Lowden and Joseph B. Fleming, Trustees) from Crossett to Little Rock, or north of the Missouri Pacific Railroad Company (Guy A. Thompson, Trustee) from Little Rock to St. Louis, Missouri.

(b) *Tariff provisions suspended.* The operation of all tariff rules, regulations, or charges insofar as they conflict with the provisions of this order is hereby suspended.

(c) *Announcement of suspension.* Each of such railroads or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(d) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances.

(e) *Application.* This order shall not be construed to apply to transit or non-transit carload freight moving from Monroe or West Monroe, La., prior to the effective date of this order. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, That this order shall become effective at 12:01 a. m., January 6, 1944, that copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 44-216; Filed, January 5, 1944;  
11:26 a. m.]

### Chapter II—Office of Defense Transportation

[General Order ODT 12A]

#### PART 502—DIRECTION OF TRAFFIC MOVEMENT

##### DOMESTIC TRAFFIC MOVEMENT OF EXPORT, IMPORT, COASTWISE, AND INTERCOASTAL FREIGHT

*General outline.* This order is designed to prevent traffic congestion at port areas within the continental United

States by broadening the control over export, coastwise, or intercoastal freight held at port areas, and establishing a control over import freight held at port areas. The order is also designed to release for other service as occasions demand, railway cars detained at port areas under load. The order supersedes General Order ODT 12 which established a control only over export, coastwise, or intercoastal freight in the possession of a rail carrier.

Pursuant to Executive Orders 8989, as amended, and 9156, in order to assure the orderly and expeditious movement of troops, materials and supplies of war; to coordinate domestic traffic movements with ocean shipping to avoid congestion of traffic at port areas in the United States; to assure maximum utilization of port facilities and to maintain a maximum flow of traffic, the attainment of which purposes is essential to the successful prosecution of the war, General Order ODT 12, as corrected, (§§ 502.20-502.21) shall be superseded, and; *It is hereby ordered, That:*

Sec.

- 502.25 Import, export, coastwise, or intercoastal freight to be removed from, or unloaded at port areas when directed.
- 502.26 Applicability.
- 502.27 Definitions.
- 502.28 Communications.

**AUTHORITY:** §§ 502.25 to 502.28, inclusive, issued under E.O. 8989, as amended; 6 F.R. 6725, 8 F.R. 14183; and E.O. 9156, 7 F.R. 3349.

§ 502.25 *Import, export, coastwise, or intercoastal freight to be removed from, or unloaded at port areas when directed.* When so directed by the Director, Division of Railway Transport, Office of Defense Transportation, in order to eliminate or avoid traffic congestion or to release railway cars for other service, any person having possession or control, within a port area, of any freight which has moved by ocean vessel to such port area, or which is intended for movement by ocean vessel from such port area, shall cause such freight to be removed from such port area, or if such freight is loaded in or on a railway car, shall cause such freight to be unloaded from such car, pursuant in each case to the terms of such direction. Nothing in this § 502.25 shall be construed as authorizing the ordering of the removal of any freight from a storage facility which is operated by, or under the exclusive control of, an agency or department of the United States, unless such freight is loaded in or on a railway car.

§ 502.26 *Applicability.* The provisions of this order shall be applicable only within the continental United States.

§ 502.27 *Definitions.* As used in this order (§§ 502.25-502.28) or in any order or regulation issued hereunder, the term:

(a) "Person" means any individual, partnership, corporation, association, joint stock company, business trust, or other organized group of persons, or any trustee, receiver, assignee, or personal representative, and includes any department or agency of the United States, any State, the District of Colum-

bia, or any other political, governmental or legal entity;

(b) "Port area" means any locality within which facilities are maintained for the interchange of freight between ocean vessels and other transportation instrumentalities, and includes all warehouses, wharves, piers, docks, yards, tracks, grounds and other facilities used in connection with the interchange or storage of export, import, coastwise or intercoastal freight within any such locality;

(c) "Continental United States" means the 48 States and the District of Columbia.

§ 502.28 *Communications.* Communications concerning this order should refer to "General Order ODT 12A", and unless otherwise directed should be addressed to the Director, Division of Railway Transport, Office of Defense Transportation, Washington 25, D. C.

This General Order ODT 12A shall become effective on January 5, 1944.

General Order ODT 12, as corrected (7 F.R. 4858, 6589), is hereby revoked as of the effective date of this General Order ODT 12A.

Issued at Washington, D. C., this 5th day of January 1944.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-213; Filed, January 5, 1944; 11:14 a. m.]

[Administrative Order ODT 1, Amdt. 10]

#### PART 503—ADMINISTRATION

##### DELEGATION OF AUTHORITY; DIVISION OF RAILWAY TRANSPORT

Pursuant to Executive Order 8989, as amended, subparagraphs (1) and (2), paragraph (a), § 503.4, of Administrative Order ODT 1 (8 F.R. 6001), are hereby amended to read as follows:

§ 503.4 *Division of Railway Transport.* (a) \* \* \*

(1) *Removal of freight from, and unloading of cars at port areas.* To issue, in his discretion, the directions contemplated by § 502.25 of General Order ODT 12A, *supra*, or as such order may be amended, revised, or reissued.

(2) To amend, modify, or revoke any direction issued pursuant to the provisions of § 502.25 of General Order ODT 12A, or as such order may be amended, revised, or reissued.

This Amendment 10 to Administrative Order ODT 1 shall become effective on January 5, 1944.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 5th day of January 1944.

JOSEPH B. EASTMAN,  
Director,

Office of Defense Transportation.

[F. R. Doc. 44-227; Filed, January 5, 1944; 12:14 p. m.]

## Notices

### INTERSTATE COMMERCE COMMISSION.

[SO 170, Special Permit 2]

BALTIMORE AND OHIO RAILROAD CO., ET AL.

ORDER TO DISREGARD CERTAIN PROVISIONS FOR REROUTING

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 97.9, 8 F.R. 17488) of Service Order No. 170 of December 27, 1943, permission is granted for The Baltimore and Ohio Railroad Company, the Reading Company, and the Western Maryland Railway Company:

To disregard entirely the provision of item (2) in paragraph (a) of § 97.9 (8 F.R. 17488) of Service Order No. 170 of December 27, 1943.

This permit shall become effective at 12:01 p. m., January 3, 1944.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 3d day of January 1944.

HOMER C. KING,  
Director, Bureau of Service.

[F. R. Doc. 44-217; Filed, January 5, 1944; 11:26 a. m.]

### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2534]

#### THE HAKUBUNDO

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That The Hakubundo, a copartnership established and doing business under the laws of the State of California, is a business enterprise within the United States;

2. That by reason of a one-half interest in The Hakubundo, owned by Hiroshi Nozawa, and a certain partnership agreement, dated December 1833, Hiroshi Nozawa controls The Hakubundo;

3. That Hiroshi Nozawa, whose last known address is Tokyo, Japan, is a national of a designated enemy country (Japan);

and determining:

4. That The Hakubundo, a copartnership, is controlled by Hiroshi Nozawa and is a national of a designated enemy country (Japan);

5. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated



as nationals of a designated enemy country (Japan);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian all right, title and interest of Hiroshi Nozawa as a copartner in and to the business and assets of The Haku-bundo, hereinbefore more fully described, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States, and hereby undertakes the direction, management, supervision and control of said business enterprise to the extent deemed necessary or advisable from time to time by the Alien Property Custodian.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to vary the extent of or terminate such direction, management, supervision or control, or return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" "designated enemy country" and "business enterprises within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on November 6, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-208; Filed, January 5, 1944;  
11:08 a. m.]

[Vesting Order 2832]

JULIUS KESSLER

In re: Estate of Julius Kessler, deceased; File D-34-123; E. T. sec. 4562.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Elizabeth Horesnye, as Executrix, acting under the judicial supervision of the Surrogate's Court of the County of New York, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

*Nationals and Last Known Address*

Ladislau Horti, Hungary.  
Bela Horti, Denmark.  
Ilma-Goldberger de Buda, Denmark.  
Nora Goldberger de Buda, Denmark.  
Schatzi Reday, Hungary.

And determining that—

(3) Bela Horti, Ilma Goldberger de Buda and Nora Goldberger de Buda, citizens or subjects of a designated enemy country, Hungary, and within an enemy-occupied country, Denmark, are nationals of a designated enemy country, Hungary;

(4) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Hungary; and

having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Ladislau Horti, Bela Horti, Ilma Goldberger de Buda, Nora Goldberger de Buda and Schatzi Reday, and each of them, in and to the Estate of Julius Kessler, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 21, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-189; Filed, January 5, 1944;  
11:05 a. m.]

[Vesting Order 2833]

ZILLA FISCHER

In re: Estate of Zilla Fischer, deceased; File D-28-2176; E. T. sec. 3086.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) That property and interests hereinafter described are property which is in the process of administration by Ernst von Briesen, 401 Brumder Building, Milwaukee (3), Wisconsin, Administrator, acting under the judicial supervision of the Milwaukee County Court of the State of Wisconsin, in and for the County of Milwaukee;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Louis Fischer, Germany.  
Kurt Fischer, Germany.  
Gertrude Gross geb. Fischer, Germany.  
Jenny Fischer, Germany.  
Erna Friebe geb. Fischer, Germany.  
Johanna Fischer, Germany.  
Erich Fischer, Germany.  
Hertna Irmgard Fischer, Germany.  
Otto Werner Fischer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Louis Fischer, Kurt Fischer, Gertrude Gross geb. Fischer, Jenny Fischer, Erna Friebe geb. Fischer, Johanna Fischer, Erich Fischer, Hertna Irmgard Fischer and Otto Werner Fischer, and each of them, in and to the estate of Zilla Fischer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of said Executive order.

Dated: December 21, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-190; Filed, January 5, 1944;  
11:05 a. m.]

[Vesting Order 2834]

MARIE HAINES

In re: Estate of Marie Haines, deceased; File D-66-482; E. T. sec. 3193.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Northern Trust Company, Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Anna Kuchinke, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Anna Kuchinke in and to the estate of Marie Haines, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 21, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-191; Filed, January 5, 1944;  
11:05 a. m.]

[Vesting Order 2835]

STANISLAWA JAHNS

In re: Estate of Stanislaw Jahns, also known as Mary Jahns, deceased; file D-28-7603; E. T. sec. 8016.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Philip Lippert, 4631 Seventh Avenue, Kenosha, Wisconsin, Executor, acting under the judicial supervision of the County Court of the State of Wisconsin, in and for the County of Kenosha;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Leokadia Baschin, Germany.

Marta Gorz, Germany.

Hedwig Jahns, Germany.

Maximilian Jahns, Germany.

Adalbert Jahns, Germany.

Bruno Jahns, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$261.85 in the possession of Philip Lippert, executor of the estate of Stanislaw Jahns, also known as Mary Jahns, deceased, and ordered to be paid by him to the Alien Property Custodian by the County Court of Kenosha County, Wisconsin, also,

All right, title, interest and claim of any kind or character whatsoever of Leokadia Baschin, Marta Gorz, Hedwig Jahns, Maximilian Jahns, Adalbert Jahns and Bruno Jahns, and each of them, in and to the estate of Stanislaw Jahns, also known as Mary Jahns, deceased.

to be held, used, determined, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such

property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 21, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-192; Filed, January 5, 1944;  
11:05 a. m.]

[Vesting Order 2836]

ELIZABETH KIEPER

In re: Estate of Elizabeth Kieper, deceased; File D-28-3767; E. T. sec. 6365.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Treasurer of Greene County, Carrollton, Illinois, Depositary, acting under the judicial supervision of the County Court of Greene County, Illinois;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Maria Noll (Lurubach), Germany.

Eliza Noll, Germany.

Martha Noll (Getting), Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$980.00 which is in the possession and custody of the Treasurer of Greene County, Illinois, Depositary, pursuant to an order of the County Court of Greene County, Illinois, entered November 30, 1942, in the matter of the estate of Elizabeth Kieper, deceased; also all right, title, interest and claim of any kind or character whatsoever of Maria Noll (Lurubach), Eliza Noll and Martha Noll (Getting), and each of them, in and to the estate of Elizabeth Kieper, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the in-

terest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 21, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-193; Filed, January 5, 1944;  
11:05 a. m.]

[Vesting Order 2837]

ANNA LOSCHE VS. ANTON BAUMANN AND  
GUSTAVE STEPHAN

In re: Partition proceedings: Anna Losche vs. Anton Baumann and Gustave Stephan; File D-28-3744; E. T. sec. 6348.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Sheriff of Stark County, Ohio, Depositary, acting under the judicial supervision of the Common Pleas Court of the State of Ohio, in and for the County of Stark;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Gustav Stephan, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$1,041.82 in the hands of the Sheriff of Stark County, Ohio, for payment

to Leo T. Crowley, Alien Property Custodian, for Gustave Stephan by the order of the Court of Common Pleas of Stark County, Ohio, dated July 22, 1943,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 21, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-194; Filed, January 5, 1944;  
11:06 a. m.]

[Vesting Order 2838]

KANJIRO ONISHI

In re: Estate of Kanjiro Onishi, deceased; File D-39-2138; E. T. sec. 8384.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Bridget H. Sullivan, 1 North LaSalle Street, Chicago, Illinois, Administrator de bonis non, acting under the judicial supervision of the Probate Court of the State of Illinois, in and for the County of Cook;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Japan, namely,

*Nationals and Last Known Address*

Famä Onishi, Japan.

Fumiko Iyeda, Japan.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$567.61 which is in the process of administration by and is in the possession and custody of Bridget H. Sullivan, administrator de bonis non, of the estate of Kanjiro Onishi, deceased; also all right, title, interest and claim of any kind or character whatsoever of Famä Onishi and Fumiko Iyeda, and each of them, in and to the estate of Kanjiro Onishi, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 21, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-195; Filed, January 5, 1944,  
11:06 a. m.]

[Vesting Order 2842]

CONSUMERS IMPORT CO., INC., ET AL., VS.  
KABUSHIKI KAISHA KAWASAKI ZOSSENJO,  
ET AL.

In re: Consumers Import Co., Inc., et al., vs. Kabushiki Kaisha Kawasaki Zosenjo, et al.; File F-39-1703.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is owned or controlled by a national of a designated enemy country, Japan, namely,

*National and Last Known Address*

Kabushiki Kaisha Kawasaki Zosenjo, Japan.

And determining that—

(2) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Japan; and

Having made all determinations and taken all action, after appropriate consultation and

certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Kabushiki Kaisha Kawasaki Zosenjo in and to any costs awarded by or pursuant to any final decree entered by the United States District Court for the Southern District of New York in a proceeding entitled Consumers Import Co., Inc., et al., vs. Kabushiki Kaisha Kawasaki Zosenjo, et al., together with interest thereon,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 23, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-196; Filed, January 5, 1944;  
11:06 a. m.]

[Vesting Order 2845]

NATHAN GOTTLIEB

In re: Estate of Nathan Gottlieb, deceased; File D-57-296; E. T. sec. 7759.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lena Gottlieb, Executrix, acting under the judicial supervision of the Surrogate's Court, County of Kings, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Roumania, namely,

*National and Last Known Address*

Clara Gottlieb, Yasi, Roumania.

And determining that—

(3) If such national is a person not within a designated enemy country, the national in-

terest of the United States requires that such person be treated as a national of a designated enemy country, Roumania; and having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Clara Gottlieb in and to the estate of Nathan Gottlieb, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 27, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-197; Filed, January 5, 1944;  
11:06 a. m.]

[Vesting Order 2846]

JACOB C. HECK

In re: Estate of Jacob C. Heck, deceased; File D-28-3807; E. T. sec. 6424.

Under the authority of the Trading with the Enemy Act as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by George Francis Schiffmayer, Metuchen, New Jersey and Miss Pauline Heck, Stroudsburg, Pennsylvania, Co-Executors, acting under the judicial supervision of the Passaic County Orphans' Court, Passaic County, New Jersey;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Mrs. Sophie Klenk, Germany.  
Miss Gerda Klenk, Germany.

Otto Klenk, Germany.

Mrs. Johana Frik, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Mrs. Sophie Klenk, Mrs. Gerda Klenk, Otto Klenk and Mrs. Johana Frik, and each of them, in and to the estate of Jacob C. Heck, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 27, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-198; Filed, January 5, 1944;  
11:07 a. m.]

[Vesting Order 2247]

AUGUST KUNTZ

In re: Estate of August Kuntz, deceased; file D-28-2572; E. T. sec. 4382.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Lewis Gordon, Administrator, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of

a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Minna Rubel, Oberstreubenbach, Germany.  
Alwine Emig, Ludwigshafen, Germany.  
Lina Haehnlein, Frankfurt A/M, Germany.  
Karl Kuntz, Ludwigshafen, Germany.  
Else Kuntz, Malkammer, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Minna Rubel, Alwine Emig, Lina Haehnlein, Karl Kuntz and Else Kuntz, and each of them, in and to the Estate of August Kuntz, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 27, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-199; Filed, January 5, 1944;  
11:07 a. m.]

[Vesting Order 2848]

AUGUSTE KUNZELMANN

In re: Estate of Auguste Kunzelmann, deceased; File D-28-7531; E. T. sec. 7825.  
Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process

of administration by the Public Administrator of the County of New York, as administrator, acting under the judicial supervision of the Surrogate's Court, New York County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

"John" Michel, his true first name being unknown, Germany.

Wilhelm Joseph Alter, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property or interests:

All right, title, interest and claim of any kind or character whatsoever of "John" Michel, his true first name being unknown and Wilhelm Joseph Alter, and each of them, in and to the estate of Auguste Kunzelmann, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 27, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-200; Filed, January 5, 1944;  
11:07 a. m.]

[Vesting Order 2849]

HERMANN MEYER

In re: Estate of Hermann Meyer, deceased; File D-28-7425; E. T. sec. 7607.

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Herman Wagner, Administrator, acting under the judicial supervision of the Surrogate's Court, County of Kings, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Johannes Meyer, Delchstr. 87, Bromerhaven, Germany.

Hermann Meyer, Rockwinkler Heerstr. 69, Oberneuland, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johannes Meyer and Hermann Meyer, and each of them, in and to the estate of Hermann Meyer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon on form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: November 27, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-201; Filed, January 5, 1944;  
11:07 a. m.]



[Vesting Order 2850]

THERESA BAUMAN

In re: Estate of Theresa Bauman, deceased; D-28-7822; E. T. sec. 8527.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Walter Loughridge, Administrator, acting under the judicial supervision of the County Court, Bexar County, Texas;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Heinrich Koepfel, Germany.

Elisabeth Canis, Germany.

Anna Dolling, Germany.

Children of Elisabeth Canis, names unknown, Germany.

Children of Anna Dolling, names unknown, Germany.

## And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Heinrich Koepfel, Elisabeth Canis, Anna Dolling, Children of Elisabeth Canis, names unknown and Children of Anna Dolling, names unknown, and each of them, in and to the estate of Theresa Bauman, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of said Executive order.

Dated: December 29, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-202; Filed, January 5, 1944;  
11:07 a. m.]

[Vesting Order 2851]

HELEN BUCHERER

In re: Committee of the Property within the State of New York of Helen Bucherer, an incompetent person. File F-28-15734; E. T. sec. 1431.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Camilla Hegeler Bucherer, Committee of the Property within the State of New York of Helen Bucherer, an incompetent person, acting under the judicial supervision of the Supreme Court of the State of New York, in and for the County of New York;

(2) Such property and interests are payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

Helen Bucherer, an incompetent, Waldbreitbach Sanitorium, Waldbreitbach, Germany.

## And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All the property and estate of Helen Bucherer of any nature whatsoever in the possession of Camilla Hegeler Bucherer, as Committee of the property within the State of New York of Helen Bucherer, an incompetent person,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order,

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 29, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-203; Filed, January 5, 1944;  
11:07 a. m.]

[Vesting Order 2852]

MARIE FUCHS

In re: Estate of Marie Fuchs, deceased; File D-34-694; E. T. sec. 8372.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

## Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Antonia Wallen, as Executrix, acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of designated enemy countries, Germany and Hungary, namely,

*Nationals and Last Known Address*

Johann Loos, Germany.

Gasper Fuchs, Hungary.

Arnold Fuchs, Hungary.

Fritz Fuchs, Hungary.

Heinrich Fuchs, Hungary (Czechoslovakia).

## And determining that—

(3) If such nationals are persons not within any designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries, Germany and Hungary; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest;

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Johann Loos, Gasper Fuchs, Arnold Fuchs, Fritz Fuchs and Heinrich Fuchs, and each of them, in and to the Estate of Marie Fuchs, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be

paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 29, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-204; Filed, January 5, 1944;  
11:08 a. m.]

[Vesting Order 2853]

R. HENRY GINSBERG

In re: Estate of R. Henry Ginsberg, also known as Reinhard H. Ginsberg, deceased; File D-28-3535; E. T. sec. 5703.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Walter Herrmann, 5 Woodward Avenue, Warrensburg, Warren County, New York, as Administrator, C. T. A., acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Louisa Gerhard, Germany  
Albert Ginsberg, Germany.  
Anna Mayer, Germany.  
Kurt Otto Mayer, Germany.  
Harde Reinhard Mayer, Germany, and other issue of Anna Mayer whose names are unknown, Germany.

And determining that—

(3) If such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany; and Having made all determinations and taken all action, after appropriate consultation and certification required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of Louisa Gerhard, Albert Ginsberg, Anna Mayer, Kurt Otto Mayer, Harde Reinhard Mayer and other issue of Anna Mayer whose names are unknown, and each of them, in and to the estate of R. Henry Ginsberg, also known as Reinhard H. Ginsberg, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 29, 1943:

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-205; Filed, January 5, 1944;  
11:08 a. m.]

[Vesting Order 2854]

HERMAN FRED WEHLING

In re: Estate of Herman Fred Wehling, deceased; File D-28-3897; E. T. sec. 6656.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by Henry Jackson, R. F. D., Leonard, North Dakota, Executor, acting under the judicial supervision of the County Court of the State of North Dakota, in and for the County of Cass;

(2) Such property and interests are payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Otto Wehling, or his heirs, Germany.  
Betta Wehling, or her heirs, Germany.  
Frieda Wehling, or her heirs, Germany.  
Carl Wehling, or his heirs, Germany.  
Betta Stavanouski, or her heirs, Poland.  
Minna Delmert, or her heirs, Poland.  
Julius Wehling, or his heirs, Germany.

And determining that—

(3) Betta Stavanouski, or her heirs, and Minna Delmert, or her heirs, citizens or subjects of a designated enemy country, Germany, and within an enemy occupied country, Poland, are nationals of a designated enemy country, Germany;

(4) To the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated

as nationals of a designated enemy country, Germany; and

Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise, and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

The sum of \$5,288.09 which is in the process of administration by, and is in the possession and custody of Henry Jackson, Executor of the estate of Herman Fred Wehling, deceased; also all right, title, interest and claim of any kind or character whatsoever of Otto Wehling, or his heirs; Betta Wehling, or her heirs; Frieda Wehling, or her heirs; Carl Wehling, or his heirs; Betta Stavanouski, or her heirs; Minna Delmert, or her heirs; Julius Wehling, or his heirs, and each of them, in and to the estate of Herman Fred Wehling, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 29, 1943.

[SEAL] LEO T. CROWLEY,  
*Alien Property Custodian.*

[F. R. Doc. 44-206; Filed, January 5, 1944;  
11:09 a. m.]

[Vesting Order 2857]

PETER BRUMMER

In re: Estate of Peter Brummer, deceased; File D-28-3877; E. T. sec. 6564.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and pursuant to law, the Alien Property Custodian after investigation,

Finding that—

(1) The property and interests hereinafter described are property which is in the process of administration by the Northern Trust Company, Administrator, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

(2) Such property and interests are payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

*National and Last Known Address*

George Brummer, Germany.

And determining that—

(3) If such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Germany; and

having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and deeming it necessary in the national interest,

Now, therefore, the Alien Property Custodian hereby vests the following property and interests:

All right, title, interest and claim of any kind or character whatsoever of George Brummer in and to the estate of Peter Brummer, deceased,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Dated: December 29, 1943.

[SEAL] LEO T. CROWLEY,  
Alien Property Custodian.

[F. R. Doc. 44-207; Filed, January 5, 1944;  
11:09 a. m.]

**OFFICE OF DEFENSE TRANSPORTATION.**

[Supplementary Administrative Order  
ODT 1-6]

**DESIGNATED MEMBERS OF THE STAFF OF THE  
DIVISION OF RAILWAY TRANSPORT**

**DELEGATION OF AUTHORITY**

Pursuant to § 503.4 (a) (5) of Administrative Order ODT 1, as amended (8 F.R. 6001 and *supra*):

1. Each Regional Director of the Division of Railway Transport, Office of Defense Transportation, within his respective region, is hereby authorized to issue, subject to the conditions named

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herein, the directions contemplated by § 502.25 of General Order ODT 12A (*supra*), or as such order may be hereafter amended, revised or reissued:

(i) No direction shall be issued directing the removal of any freight from a storage facility which is operated by, or is under the exclusive control of, an agency or department of the United States unless such freight is loaded in or on a railway car.

(ii) When freight consigned to or shipped for account of the War Department, Navy Department, or War Shipping Administration is being held at a port area in or on a railway car and such car is needed for other service, or when freight is being held in storage for account of the War Department, Navy Department, or War Shipping Administration, in a storage facility which is not operated by or under the exclusive control of, an agency or department of the United States, and such storage space is needed for other purposes, the appropriate field representative of the War Department, Navy Department, or War Shipping Administration, as the case may be, shall be consulted before the unloading of such car is directed, or before such freight is ordered removed from such storage facility. In the event objection is made by such representative to the unloading of such car, or to the removal of such freight from such storage facility, the matter shall be referred to the Director, Division of Railway Transport, Office of Defense Transportation, for determination.

2. The exercise of the powers and authority conferred by this order shall be subject to the general control and supervision of the Director of the Office of Defense Transportation and the Director, Division of Railway Transport, Office of Defense Transportation.

Issued at Washington, D. C., this 5th day of January 1944.

V. V. BOATNER,  
Director,  
Division of Railway Transport.

[F. R. Doc. 44-212; Filed, January 5, 1944;  
11:14 a. m.]

**OFFICE OF PRICE ADMINISTRATION.**

[MPR 188, Order 11]

WOOSTER BRUSH Co.

**APPROVAL OF MAXIMUM PRICES**

Order No. 11 under subparagraph (5) of Order No. A-2 issued under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Approval of maximum prices for sales of brushes using imported bristles manufactured by the Wooster Brush Company.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order Nos. 9250 and 9328, and subparagraph (5) of Order No.

A-2 issued under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) This order permits the manufacturer, Wooster Brush Company, Wooster, Ohio, and the distributors and dealers of its brushes to add an amount specified below to their ceiling prices for brushes manufactured from imported bristles.

(1) *Manufacturer's prices.* On and after January 5, 1944, Wooster Brush Company may add to its maximum prices of brushes fabricated from imported bristles, 66⅔ per cent of the difference between the costs of bristles used in the manufacture of brushes at the time the maximum prices were established and the costs of bristles currently used in the manufacture of brushes. However, in computing the costs of bristles currently used, no increase in foreign invoice price occurring after August 20, 1943, may be included.

(2) *Distributor's and dealer's prices.* All distributors and dealers may recalculate their maximum prices for brushes using imported bristles and manufactured by the Wooster Brush Company by adding to their maximum prices established by the General Maximum Price Regulation the dollar increase permitted the manufacturer by this order.

(b) *Notification.* At or prior to the first delivery of any of the brushes for which the maximum prices have been adjusted by this order, the manufacturer shall notify in writing each distributor and dealer, and each distributor shall notify in writing each dealer who purchases from them for resale, of the lot number and size of each brush and the amount of the increase permitted by this order and of the fact that this order permits each distributor and dealer to add to his present ceiling price the dollar amount of the increase permitted the manufacturer.

(c) This Order No. 11 may be revoked or amended by the Price Administrator at any time.

This Order No. 11 shall become effective on the 5th day of January 1944.

Issued this 4th day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-179; Filed, January 4, 1944;  
3:36 p. m.]

[Order 50 Under RMPR 122, Amdt. 2]

**PENNSYLVANIA ANTHRACITE COAL**

**PRICES IN YORK AND HARRISBURG COAL  
TRADING AREAS**

Amendment No. 2 to Order No. 50 under Revised Maximum Price Regulation No. 122. Solid Fuels sold and delivered by dealers.

For the reasons set forth in the opinion issued herewith and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered that Order No. 50 under Revised Regulation No. 122 be amended in the following respects:

1. Paragraph (g) is deleted; paragraph (f) is redesignated paragraph (g) and new paragraph (f) is added to read as follows:

(f) The prices set forth in paragraphs (d) and (e) above for the respective coal trading areas and for "direct delivery" and "yard sales" may be increased for sales of "Colonial" anthracite by no more than 65 cents per ton in the egg, stove, nut, pea and buckwheat sizes; and by 55 cents for the rice size and 10 cents for the barley size, if:

(1) The dealer keeps "Colonial" anthracite separate in storage and delivery, from any other kind of solid fuel; and

(2) The dealer keeps complete and accurate records of his purchases of Colonial anthracite for such time as this paragraph (f) (2) is in effect. The records shall show: the date he receives the coal; the name and address of the producer; the quantity in net tons of each delivery to him of such anthracite and all invoices sent him by the producer.

(3) The "Colonial" anthracite is produced by Colonial Colliery Corporation at its mine at Natalie, Northumberland County, Pennsylvania and is sold as "Colonial" anthracite by the dealer.

2. In paragraph (l), the words "upon petition" are deleted.

3. In paragraph (m), the first and second sentences are amended to read as follows:

If you are a dealer subject to this order, you are governed by the licensing provisions of Supplementary Order No. 72, issued by the Office of Price Administration. This provides, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established.

4. Paragraph (n) is amended to read as follows:

Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date, the name and address of the buyer, if known, the price charged and the kind and size of fuel sold. The fuel shall be identified in the manner in which the fuel is described in this order. The record shall also state separately each service rendered and the charge made for it.

This Amendment No. 2 to Order No. 50 under Maximum Price Regulation No. 122 shall become effective as of December 27, 1943.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-128; Filed, January 8, 1944; 4:52 p. m.]

[Order 465 Under MPR 188, Amdt. 1]

# CERTAIN READY MIXED EXTERIOR AND INTERIOR PAINTS

## AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 1 to Order No. 465 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The paragraph immediately following paragraph (e) which specifies the effective and termination dates of the order is amended to read as follows:

This order shall become effective June 30, 1943.

This amendment shall become effective as of December 31, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 3d day of January 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-124; Filed, January 3, 1944; 4:52 p. m.]

## Regional and District Office Orders.

[Region VIII Order G-1 Under MPR 376, Amdt. 2]

## CARROTS IN CALIFORNIA

Amendment 2 to Order No. G-1 under Maximum Price Regulation No. 376, as amended. Certain fresh fruits and vegetables.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, *It is hereby ordered*, That paragraph (b) and paragraph (c) be amended to read as set forth below:

(b) The adjusted maximum price for the sale of carrots by a country shipper delivered to any wholesale receiving point in Region VIII shall be the applicable price set forth in paragraph (a) above, plus "freight" from Salinas, California, to the wholesale receiving point.

(c) The adjusted maximum price for sales of carrots f. o. b. any point in Region VIII, other than Salinas, California, shall be the applicable price set forth in paragraph (b) above, for the wholesale receiving point of the purchaser, less freight from the country shipping point to such wholesale receiving point.

This amendment may be revoked, corrected or amended at any time.

This amendment shall become effective upon issuance.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 44-160; Filed, January 4, 1944; 3:34 p. m.]

[Region VIII Order G-2 Under MPR 188]

## COMMON BRICK IN SPOKANE, WASH.

Order No. G-2 under Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Adjusted maximum prices for sales of common brick by certain persons in Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.161 (a) (2) of Maximum Price Regulation No. 188 and § 1499.18 (c) as amended, of the General Maximum Price Regulation, *It is hereby ordered*:

(a) The adjusted maximum prices at which Washington Brick & Lime Co. Spokane, Washington, may sell and deliver common brick, shall be its present maximum prices, plus \$2.50 per thousand.

(b) The adjusted maximum prices at which any dealer located in Region VII who purchases any common brick from Washington Brick & Lime Co., Spokane, Washington, at the adjusted maximum prices set forth in paragraph (a) above may sell said brick shall be the particular dealer's present maximum prices plus the increased dollars and cent amount which the dealer has paid said supplier pursuant to paragraph (a) above.

(c) All allowances, discounts or other price differentials in effect during March 1942, shall be maintained.

(d) This order may be amended, revoked or corrected at any time.

(e) *Definition*. (1) The term "Region VIII" means: The states of California, Washington, Nevada, Oregon, except Malheur and Harney Counties, and Arizona, except those portions of Coconino County and Mohave County lying North of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(f) All prayers of Washington Brick & Lime Co., Spokane, Washington, in its application for adjustment, not hereby specifically granted, are hereby denied.

(g) To the extent to which the aforesaid application of Washington Brick & Lime Co., has been denied, it may, within 15 days after date on which this order is mailed to it, request the Price Administrator to review such order or denial in the manner provided by Revised Procedural Regulation No. 1.

This order shall become effective December 20, 1943.

(16 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9128, 8 F.R. 4681)

Issued this 20th day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[P. R. Doc. 44-161, Filed, January 4, 1944;  
3:28 p. m.]

[Region VIII Order G-2 Under RMPR 122,  
Amtd. 2]

BITUMINOUS COAL IN SEATTLE, WASH.,  
AREA

Amendment No. 2 to Order No. G-2  
under Revised Maximum Price Regu-  
lation No. 122. Solid fuels sold and de-  
livered by dealers. Maximum prices  
for certain sales of bituminous coal in  
Seattle, Washington, area.

For the reasons set forth in an opin-  
ion issued simultaneously herewith and  
under the authority vested in the Re-  
gional Administrator of the Office of  
Price Administration by § 1340.260 of  
Revised Maximum Price Regulation No.  
122, it is hereby ordered, That Tables  
I to XIV, inclusive, be amended to read  
as follows below; and that Table XII-A  
be inserted in the schedule under para-  
graph (b) (1)

TABLE I—DISTRICT 19, WYOMING, SUB-DISTRICT NO. 1, "KEMMERER"

Size groups	Delivered f. o. b. yard		Delivered to buyer's premises					Size groups	Delivered f. o. b. yard		Delivered to buyer's premises						
	100# bag	Loose per ton	100# bag	½ ton	1 ton	2 ton	3 ton		5 ton	100# bag	Loose per ton	100# bag	½ ton	1 ton	2 ton	3 ton	5 ton
1 Lump 8"	\$0.80	\$13.85	\$0.85	\$8.15	\$14.85	\$14.60	\$14.35	-----	8 Nut 3x1½"	\$0.75	\$12.20	\$0.80	\$7.25	\$13.20	\$12.05	\$12.70	-----
2 Lump 7"									9 Pea 1½x1"	.70	11.25	.75	6.85	12.25	12.00	11.75	-----
3 Lump 5"									10 Pea No. 2 1½x½"	.65	11.60	.70	6.75	12.00	11.75	11.50	\$11.25
4 Lump 3"									11 Stoker Pea 1x¾"	.65	10.45	.70	6.45	11.45	11.20	10.95	10.70
5 Stove 8x3"									15 Slack 1½x6"	.65	10.45	.70	6.45	11.45	11.20	10.95	10.70
6 Grate Nut 8x1½"	.75	12.65	.80	7.55	13.65	13.40	13.15	-----	16 Slack 1x6"								
7 Egg 5x3"																	

TABLE II—DISTRICT 19, WYOMING, SUB-DISTRICT NO. 2, "ROCKSPRINGS"

1 Lump 8"	\$0.80	\$13.65	\$0.85	\$3.05	\$14.65	\$14.40	\$14.15		8 Nut 3x1½"	\$0.75	\$12.19	\$0.80	\$7.20	\$13.19	\$12.85	\$12.60
2 Lump 7"									9 Pea 1½x1"	.70	11.20	.75	6.85	12.20	11.95	11.70
3 Lump 6"	.80	13.40	.85	7.95	14.40	14.15	13.90		10 Pea No. 2 1½x½"	.65	10.75	.70	6.60	11.75	11.50	11.25
4 Lump 5"									11 Stoker Pea 1x3/8"	.65	10.75	.70	6.60	11.75	11.50	11.25
5 Stove 8x3"									15 Slack 1½x6"	.65	10.75	.70	6.60	11.75	11.50	11.25
6 Grate Nut 8x1½"	.75	12.50	.80	7.50	13.50	13.25	13.00		16 Slack 1x6"							
7 Egg 5x3"																

TABLE III—DISTRICT 19, WYOMING, SUB-DISTRICT NO. 3, "HANNA RAWLINGS"

1 Lump 8"	\$0.80	\$13.35	\$0.85	\$7.90	\$14.35	\$14.10	\$13.85		8 Nut	\$0.75	\$12.60	\$0.80	\$7.50	\$13.60	\$13.25	\$13.00
2 Lump 7"									9 Pea 1½x1"	.65	11.20	.70	6.85	12.20	11.95	11.70
3 Lump 6"	.80	13.10	.85	7.80	14.10	13.85	13.60		10 Pea No. 2 1½x½"	.65	10.75	.70	6.70	11.75	11.50	11.25
4 Lump 5"									15 Slack 1½x6"	.65	10.75	.70	6.60	11.75	11.50	11.25
5 Stove 8x3"	.80	13.10	.85	7.80	14.10	13.85	13.60		16 Slack 1x6"							
6 Grate Nut 8x1½"	.75	12.70	.80	7.60	13.70	13.45	13.20									
7 Egg 5x3"																

TABLE IV—DISTRICT 19, WYOMING, SUB-DISTRICT NO. 5, "GEDO-KIRBY"

1 Lump 8"	\$0.85	\$14.70	\$0.90	\$3.60	\$15.70	\$15.45	\$15.20		8 Nut 3x1½"	\$0.80	\$13.20	\$0.85	\$7.80	\$14.20	\$14.05	\$13.80
2 Lump 7"									9 Pea 1½x1"	.70	11.75	.75	7.10	12.75	12.50	12.25
3 Lump 6"	.85	14.70	.90	8.25	15.05	14.80	14.55		10 Pea No. 2 1½x½"	.65	10.45	.70	6.45	11.45	11.20	10.95
4 Lump 5"									15 Slack 1½x6"	.65	10.45	.70	6.45	11.45	11.20	10.95
5 Stove 8x3"	.85	14.05	.90	8.25	15.05	14.80	14.55		16 Slack 1x6"							
6 Stove 7x3"																
7 Grate Nut 8x1½"	.85	14.05	.90	8.25	15.05	14.80	14.55									
8 Egg 5x3"																

TABLE V—DISTRICT 19, WYOMING, SUB-DISTRICT NO. 7, "SHELDON"

1 Lump 8"	\$0.75	\$12.60	\$0.80	\$7.55	\$13.60	\$13.35	\$13.10		9 Pea 1½x1"	\$0.65	\$10.60	\$0.70	\$6.65	\$11.60	\$11.35	\$11.10
2 Lump 7"									10 Pea No. 2 1½x½"	.65	10.60	.70	6.65	11.60	11.35	11.10
3 Stove 8x3"	.75	12.30	.80	7.40	13.30	13.05	12.80		14 Slack 2½x6"	.65	10.60	.70	6.65	11.60	11.35	11.10
4 Stove 7x3"									15 Slack 1½x6"	.65	10.45	.70	6.45	11.45	11.20	10.95
5 Grate Nut 8x1½"	.70	11.80	.75	7.15	12.80	12.55	12.30									
6 Egg 5x3"																
8 Nut 3x1½"																

TABLE VI—DISTRICT 20, UTAH, SUB-DISTRICT NO. 1, "CASTLEGATE"

1 Lump 11x8"	\$0.80	\$13.65	\$0.85	\$3.05	\$14.65	\$14.40	\$14.15		7 Nut 3x1½"	\$0.75	\$12.20	\$0.80	\$7.25	\$13.20	\$12.05	\$12.70
2 Lump 10"									8 Pea 1½x1"	.70	11.20	.75	6.85	12.20	11.95	11.70
3 Lump 9"	.80	13.45	.85	7.95	14.45	14.20	13.95		9 Stoker 1x3/8"	.65	10.75	.70	6.75	11.75	11.50	11.25
4 Lump 8x6"									10 Slack 1½x6"	.65	10.75	.70	6.60	11.75	11.50	11.25
5 Stove 8x3"	.80	13.00	.85	7.75	14.00	13.75	13.50		11 Slack 1x6"							
6 Egg 8x1½"																

TABLE VII—DISTRICT 22, MONTANA, SUBDISTRICT NO. 1, "ROUNDUP"

1 Lump 6" and up	\$0.80	\$13.40	\$0.85	\$7.95	\$14.40	\$14.15	\$13.90		6 No. 1 nut 3x2"	\$0.80	\$12.40	\$0.85	\$7.45	\$13.40	\$13.15	\$12.90
2 Lump 5"									7 Nut 2x1½"	.70	11.85	.75	7.15	12.85	12.60	12.35
3 Furnace 9x6"	.80	13.25	.85	7.85	14.25	14.00	13.75		9 Stoker pea 1½x3/8"	.65	10.60	.70	6.65	11.60	11.35	11.10
4 Egg 6x3"									10 Slack 1½x6"	.65	10.70	.70	6.10	10.70	10.45	10.20
5 Stove 6x2"																

<sup>1</sup> The maximum prices for size group 3, 3" Lump, produced by the Utah Blue Diamond Coal Company, shall be, the following:

3 Lump 3"	\$0.80	\$13.95	\$0.85	\$3.20	\$14.95	\$14.70	\$14.45
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TABLE VIII—DISTRICT 22, MONTANA, SUBDISTRICT NO. 2, "RED-LODGE"

Size groups		Delivered f. o. b. yard		Delivered to buyer's premises					Size groups		Delivered f. o. b. yard		Delivered to buyer's premises					
		100# bag	Loose per ton	100# bag	½ ton	1 ton	2 ton	3 ton			5 ton	100# bag	Loose per ton	100# bag	½ ton	1 ton	2 ton	3 ton
1 Lump 6" up-----	}	\$.80	\$13.80	\$.85	\$3.15	\$14.80	\$14.55	\$14.80	-----	6 No. 1 nut 3 x 2"-----	\$0.75	\$12.30	\$0.80	\$7.40	\$13.30	\$13.05	\$12.80	-----
2 Lump 2"-----										.70	11.70	.75	7.10	12.70	12.45	12.20	-----	
3 Furnace 9 x 6"-----										.65	10.45	.70	6.45	11.45	11.20	10.95	\$10.70	
4 Egg 6 x 3"-----																		
5 Stove 6 x 2"-----	}	.80	13.40	.85	7.95	14.40	14.15	13.90	-----	9 Stoker pea 1½ x ½"-----	.60	9.85	.65	6.15	10.85	10.60	10.35	10.10
										10 Slack 1½ x 0"-----								

TABLE IX—DISTRICT 23, WASHINGTON, SUBDISTRICT A, "ROSLYN"

2 Lump 3½"-----	\$0.70	\$11.50	\$0.75	\$7.00	\$12.50	\$12.25	\$12.00	-----	13 Nut No. 2, 2 x ¾"-----	\$0.65	\$10.15	\$0.70	\$6.35	\$11.15	\$10.90	\$10.65	-----
3 Lump 2"-----									16 Nut pea 1 x ¾"-----	.60	9.40	.65	5.95	10.40	10.15	9.90	\$9.65
8 Egg 3½ x 1½"-----	.70	11.30	.75	6.90	12.30	12.05	11.80	-----	21 Slack 2 x 0"-----	.60	9.20	.65	5.85	10.20	9.95	9.70	9.45
10 Egg nut 3 x 1½"-----	.70	11.05	.75	6.80	12.05	11.80	11.55	-----	23 Slack 1 x 0"-----	.60	8.95	.65	5.75	9.95	9.70	9.45	9.20
12 Nut 2 x 1½"-----	.65	10.45	.70	6.50	11.45	11.20	10.95	-----	19 Minerun 6 x 0", 4 x 0"-----	.65	10.20	.70	6.20	11.30	11.05	10.80	-----

TABLE X—DISTRICT 23, WASHINGTON, SUBDISTRICT B, "PIERCE COUNTY"

2 Lump 3½"-----	\$0.75	\$12.15	\$0.80	\$7.35	\$13.15	\$12.90	\$12.65	-----	21 Slack 2 x 0"-----	\$0.65	\$10.30	\$0.70	\$6.40	\$11.80	\$11.05	\$10.80	\$10.55
3 Lump 2"-----									22 Slack 1½ x 0"-----	.65	10.15	.70	6.35	11.15	10.90	10.65	10.40
8 Egg 3½ x 2½"-----	.70	11.15	.75	6.85	12.15	11.90	11.65	-----	19 Minerun 6 x 0", 4 x 0"-----	.70	11.15	.75	6.85	12.15	11.90	11.65	-----
13 Nut egg No. 2 2 x ¾"-----																	

TABLE XI—DISTRICT 23, WASHINGTON, SUBDISTRICT D, "BELLINGHAM"

1 Lump 4"-----	\$0.70	\$11.00	\$0.75	\$6.75	\$12.00	\$11.75	\$11.50	-----	9 Egg Nut 3½ x 1½"-----	\$0.65	\$10.10	\$0.70	\$6.30	\$11.10	\$10.85	\$10.60	-----
8 Lump 2"-----	.65	10.65	.70	6.60	11.65	11.40	11.15	-----	12 Nut 2 x 1½"-----	.60	9.80	.65	6.15	10.80	10.55	10.30	-----
6 Stove 4 x 2"-----									14 Chestnut 1½ x 1"-----	.60	9.15	.65	5.85	10.15	9.90	9.65	-----
7 Egg 3½ x 2½"-----	.65	10.35	.70	6.45	11.35	11.10	10.85	-----	16 Pea 1 x ¾"-----	.65	8.85	.60	5.70	9.85	9.60	9.35	\$9.10

TABLE XII—DISTRICT 23, WASHINGTON, SUB-DISTRICT E, "McKAY-LAWSON" EXCLUDING COALS PRODUCED AT THE McKAY MINE

2 Lump 3 1/4"-----	\$0.75	\$12.55	\$0.80	\$7.50	\$13.55	\$13.30	\$13.05	-----	17 Pea 1 1/2 x 3/4"-----	\$0.65	\$10.75	\$0.70	\$6.65	\$11.75	\$11.50	\$11.25	\$11.00
8 Egg 3 1/4 x 1 1/2"-----	.75	12.35	.80	7.45	13.35	13.10	12.85	-----	18 Stoker 1 x 3/4"-----								
9 Egg Nut 3 1/4 x 1 1/4"-----								-----	21 Slack 2 x 0"-----								
10 Egg Nut 3 x 1 1/4"-----								-----	22 Slack 1 1/4 x 0"-----								
12 Nut 2 x 1 1/4"-----	.70	11.95	.75	7.25	12.95	12.70	12.45	-----									
14 Pea 1 1/4 x 1"-----																	
15 Pea 1 1/4 x 3/4"-----																	

TABLE XII (A)—DISTRICT 23, WASHINGTON, SUB-DISTRICT E, ONLY COALS PRODUCED AT THE McKAY MINE

1 Lump 4"	\$0.80	\$13.50	\$0.85	\$3.00	\$14.50	\$14.25	\$14.00	-----	10 Nut 3 x 1 1/4"	\$0.70	\$11.75	\$0.75	\$7.10	\$12.75	\$12.50	\$12.25	-----
2 Lump 3 1/2"																	
3 Lump 2"																	
4 Lump 1"																	
5 Lump 3/4"																	
6 Egg 4 x 2"	.75	12.70	.80	7.60	13.70	13.45	13.20	-----	11 Nut 2 1/2 x 1"	.70	11.25	.75	6.85	12.25	12.00	11.75	\$11.50
7 Egg 3 1/2 x 2 1/2"																	
8 Egg Nut 3 1/2 x 1 1/2"																	
9 Egg Nut 3 1/2 x 1 1/4"																	
									12 Nut 2 x 1 1/4"	.65	10.95	.70	6.70	11.95	11.70	11.45	11.20
									13 Nut 2 x 3/8"								
									14 Pea Stoker 1 1/4 x 1"								
									15 Pea Stoker 1 1/4 x 1/2"								
									16 Stoker 1 x 3/4"								
									17 Stoker 1 1/2 x 3/4"								
									18 Stoker 1 x 3/4"								
									19 Minerun								
									20 Slack 3 1/2 x 0"								

TABLE XIII—DISTRICT 23, WASHINGTON, SUBDISTRICT F, RENTON FIELD

2 Lump 3½"-----	\$0.70	\$11.35	\$0.75	\$6.95	\$12.35	\$12.10	\$11.85	-----	14 Chestnut 1½ x 1"-----	\$0.60	\$9.85	\$0.65	\$5.20	\$10.85	\$10.60	\$10.35	-----
8 Egg 3 x 1½"-----	.65	10.85	.70	6.70	11.85	11.60	11.35	-----	16 Pea 1 x ¾"-----	.60	9.45	.65	6.00	10.45	10.20	9.95	\$9.70
9 Egg Nut 3½ x 1½"-----									22 Slack 1½ x 0"-----	.60	9.20	.65	5.85	10.20	9.95	9.70	9.45
10 Egg Nut 3 x 1½"-----	.65	10.50	.70	6.50	11.50	11.25	11.00	-----									
12 Nut 2 x 1½"-----																	

TABLE XIV—DISTRICT 23, WASHINGTON, SUB-DISTRICT G, "CUMBERLAND"

2	Lump 3 1/4"	}	\$0.70	\$11.60	\$0.75	\$7.05	\$12.60	\$12.35	\$12.10			10	Nut 3 x 1 1/4"	}	\$0.65	\$10.50	\$0.70	\$6.50	\$11.50	\$11.25	\$11.00	-----
3	Lump 2"										11	Nut 2 1/2 x 1"										
4	Lump 1"										12	Nut No. 2 2 x 1 1/4"										
5	Lump 3/8"										14	Pea 1 1/4 x 1"			.65	10.25	.70	6.40	11.25	11.00	10.75	\$10.50
6	Egg 3 1/4 x 1 1/8"	}	.70	11.20	.75	6.85	12.20	11.95	11.70			19	Mine run 6 x 0"		.65	10.25	.70	6.40	11.25	11.00	10.75	
8	Egg 3 1/4 x 1 1/8"										16	Pea No. 2 1 x 3/8"		.60	9.75	.65	6.15	10.75	10.50	10.25	10.00	
9	Egg Nut 3 1/2 x 1 1/4"										21	Slack 2 x 0"		.60	10.50	.65	6.00	10.50	10.25	10.00	9.75	

This amendment to Order G-2 shall become effective December 20, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 18th day of December 1943.

L. F. GENTNER,  
Regional Administrator.

[F. R. Doc. 44-162; Filed, January 4, 1944;  
3:32 p. m.]

[Region VIII Order G-3 Under 18 (c),  
Amtd. 35]

#### FLUID MILK IN WASHINGTON

Amendment No. 35 to Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Fluid milk prices at wholesale and retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and un-

der the authority vested in the Region Administrator of the Office of Price Administration by special authorization from the Price Administrator dated December 15, 1943, it is hereby ordered that Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation be amended as set forth below:

Section (1) is hereby amended by adding at the end thereof the following:

## TOWN OF FRIDAY HARBOR

Quantity	Not less than 4 per cent milk fat	
	Wholesale delivered	Retail
Gallons.....		\$0.45
Quarts.....	\$0.1125	.13
½-pints.....	.0325	

This amendment shall become effective December 26, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 3 F.R. 4681)

Issued this 20th day of December 1943.

L. F. GENTNER,  
Regional Administrator

[F. R. Doc. 44-163; Filed, January 4, 1944;  
3:32 p. m.]

## [Region VIII Order G-4 Under RMPR 122, Amdt. 1]

## BITUMINOUS COAL IN KELLOGG, IDAHO, AREA

Amendment No. 1 to Order No. G-4 under Revised Maximum Price Regulation No. 122. Maximum prices for certain sales of bituminous coal in Kellogg, Idaho, and specified adjacent vicinity.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Office of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered that Order No. G-4 under Revised Maximum Price Regulation No. 122 be amended as set forth below:

(a) Paragraph (b) (1) is hereby amended to read as follows:

The maximum prices for sales of the types of coal specified below delivered within the City of Kellogg, Idaho, shall be:

Type of coal	Delivered f. o. b. yard		Delivered to storage facility on buyer's premises			
	Ton	100-lb. sack	Ton	½ ton	100 lbs.	100-lb. sack
Utah Lump and Stove, all sizes.....	\$11.69	\$0.76	\$12.69	\$0.89	\$3.63	\$0.83
Rock Springs Lump, all sizes.....	11.70	.76	12.70	.85	3.65	.85
Utah Nut, 3" x 1½".....	10.85	.76	11.85	.80	3.48	.81
Rock Springs Nut, 3" x 1½".....	10.95	.76	11.95	.85	3.50	.83
Utah Special Stoker, Treated, 1" x ¾".....	9.15		9.90	.85	2.93	
Utah Slack, Treated, 1½" x 0" or 1" x 0".....	8.90		9.65	.80	.63	

This amendment shall become effective upon issuance.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 3 F.R. 4681, RMPR 122, Sec. 1340.260, 8 F.R. 440)

Issued this 23d day of December 1943.

L. F. GENTNER,  
Regional Administrator

[F. R. Doc. 44-164; Filed, January 4, 1944;  
3:33 p. m.]

## [Region VIII Order G-4 Under 18 (c), Amdt. 3]

## FLUID MILK IN NEVADA

Amendment No. 3 to Order No. G-4 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 5 under section 18 (c) of the General Maximum Price Regulation as amended) Fluid milk prices at wholesale and retail in certain localities in the State of Nevada.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by special authorization from the Price Administrator dated December 15, 1943; *It is hereby ordered*, That Order No. G-4 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 5 under section 18 (c) of the General Maximum Price Regulation as amended) be amended as set forth below:

(a) The preamble is amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation, § 1499.75 (a) (9) of Supplementary Regulation No. 15, and special authorization conferred by the Price Administrator; *It is hereby ordered*:

(b) Section (1) is hereby amended by striking out the heading "The Settlement of Gabbs Valley" and the schedule of prices thereunder and substituting therefor the following:

## THE SETTLEMENT OF GABBS VALLEY

Quantity	Wholesale prices f. o. b. purchaser's business location	Retail prices
Gallon.....	\$2.50	\$2.64
Half gallon.....	.25	.33
Quart container.....	.15	.17
Pint container.....	.08	.09

This amendment shall become effective December 24, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 3 F.R. 4681)

Issued this 20th day of December 1943.

L. F. GENTNER,  
Regional Administrator

[F. R. Doc. 44-165; Filed, January 4, 1944;  
3:32 p. m.]

## [Region VIII Rev. Order G-3 Under MPR 200, Amdt. 2]

## FLUID MILK IN CALIFORNIA

## REGION VIII

Amendment No. 2 to Revised Order No. G-8 Under Maximum Price Regulation No. 280, as amended. Maximum prices for specific food products. Sales of milk by handlers located in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.817 (a) of Maximum Price Regulation No. 280, as amended; *It is hereby ordered*, That paragraph (a) be amended as set forth below:

(a) Paragraph (a) (4) is hereby amended to read as follows:

For such sales of skim milk, except as provided in paragraph (a) (5) below, the maximum price shall be as follows:

(i) For such sales to purchasers who purchased from that same seller during August 1943, the maximum price shall be the highest price which the particular seller charged such purchaser during August 1943.

(ii) For such sales to purchasers who did not purchase milk from the same seller during August 1943, the maximum price shall be the highest price which the seller charged any purchaser during August 1943.

(iii) For such sales by a seller who did not sell during August 1943, the maximum price shall be the highest price which the most similar competitive seller charged any purchaser during August 1943.

(b) Paragraph (a) (5) is added to read as follows:

For such sales of skim milk delivered to the purchaser's plant located in the cities of San Francisco, Oakland, San Jose and Santa Clara the maximum price shall be the price as specified in paragraph (a) (4) or \$1.45 per hundred pounds, whichever is higher.

This amendment to Revised Order No. G-8 shall become effective December 24th, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 3 F.R. 4631)

Issued this 23d day of December 1943.

L. F. GENTNER,  
Regional Administrator

[F. R. Doc. 44-166; Filed, January 4, 1944;  
3:33 p. m.]

## [Region VIII Order G-11 Under MPR 165]

## RENTAL OF FISHING BOATS

Order No. G-11 under Maximum Price Regulation No. 165, as amended. Services. Adjusted maximum prices for rental of fishing boats by persons in Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of

Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended; *It is hereby ordered.*

(a) The adjusted maximum rental at which any person in Region VIII may rent on a percentage or share basis, a fishing boat to be used for a particular purpose, shall be a rental calculated upon the basis of the highest percentage or share received during March 1942, or if no rental for the particular purpose was made during said month, during the last period prior to March 1942 when rental for such purpose was made:

(1) For the same boat or;

(2) If no rental were made for the same boat, for a similar boat.

(b) If a person cannot determine an adjusted maximum rental on a share or percentage basis, under (a) above, his adjusted maximum rental shall be the adjusted maximum rental of the "most closely competitive seller of the same class."

(c) "Region VIII" as herein used means: The States of California, Washington, Nevada, Oregon, except Malheur and Harney Counties, and Arizona, except those portions of Coconino County and Mohave County lying North of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective December 28, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 23d day of December 1943.

L. F. GENTNER,  
Regional Administrator

[F. R. Doc. 44-167; Filed, January 4, 1944;  
3:33 p. m.]

[Region VIII Order G-30 Under MPR 329,  
Amdt. 1]

#### FLUID MILK IN YAKIMA CO., WASH.

Amendment No. 1 to Order No. G-30 under Maximum Price Regulation No. 329, as amended. Purchases of milk from producers for resale as fluid milk in certain localities in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, as amended, *It is hereby ordered*, That paragraph (a) be amended to read as set forth below:

(a) The maximum price at which any person may purchase fluid milk from a producer whose dairy is located in Yakima County in the State of Washington shall be as follows:

(1) For purchases of milk f. o. b. the producer's dairy, the maximum price shall be \$.80 per pound milk fat.

(2) For purchases of milk delivered to the purchaser's plant, the maximum

price shall be the price specified in paragraph (a) (1) plus an allowance for transporting the milk purchased from the producer's dairy to the purchaser's plant, computed as follows:

(i) Where the milk is transported by means of a carrier not operated or controlled by the producer or the purchaser, the transportation allowance shall be the amount actually paid to the carrier for the transportation service.

(ii) Where the milk is transported by means of a carrier operated or controlled by the producer, the transportation allowance shall be an amount equal to the lowest available common or contract carrier rate for the same or similar service.

This amendment to Order No. G-30 shall become effective December 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of December 1943.

L. F. GENTNER,  
Regional Administrator

Approved:

BUELL F. MABEN,  
Regional Director Food Distribution Administration, War Food Administration, Western Region.

[F. R. Doc. 44-168; Filed, January 4, 1944;  
3:29 p. m.]

[Region VIII Order G-65 Under 18 (c),  
Amdt. 1]

#### FIREWOOD IN SPOKANE, WASH., AREA

Amendment No. 1 to Order No. G-65 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Sawing of firewood in Spokane, Washington, and vicinity.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation: *It is hereby ordered*, That Order No. G-65 under § 1499.18 (c) as amended, of the General Maximum Price Regulation be amended as set forth below:

(a) Paragraph (a) is hereby amended to read as follows:

(a) *Prices to ultimate consumers.* Within the City of Spokane, Washington, and in all areas within a radius of ten miles of the city limits of said city the adjusted maximum prices chargeable to ultimate consumers by any person operating a power saw for performing the services hereinafter described in this paragraph (a) shall be as follows:

Service	Maximum price per cord
(1) For sawing forest cordwood from 4 ft. lengths to lengths of 24 in. or less.....	\$1.50
(2) For sawing slabwood from 4 ft. lengths to lengths of 24 in. or less.....	1.75
(3) For sawing slabwood from 8 ft. 6 in. lengths to lengths of 4 ft. or 4 ft. 3 in.....	1.25

Service	Maximum price per cord
(4) For sawing slabwood from 8 ft. 6 in. lengths to lengths of 24 in. or less.....	\$2.00
(5) For sawing sawmill edgings from 4 ft. lengths to lengths of 24 in. or less.....	2.00
(6) For sawing scrap lumber, polewood, and any other type of firewood not described above, irrespective of the length of the wood or the number of cuts:	

Service	Per hour
(1) For services of one man and one power saw.....	\$3.71
(11) For services of two men and one power saw.....	4.71

This amendment shall become effective upon issuance.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 14th day of December 1943

L. F. GENTNER,  
Regional Administrator

[F. R. Doc. 44-169; Filed, January 4, 1944;  
3:28 p. m.]

[Region VIII Order G-77 Under 18 (c),  
Amdt. 1]

#### DEHYDRATED ALFALFA MEAL IN REGION VIII

Amendment No. 1 to Order No. G-77 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Adjusted maximum prices for sales of dehydrated alfalfa meal in Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation, and Order No. G-77 under such section, Order No. G-77 under § 1499.18 (c) as amended, of the General Maximum Price Regulation is amended as follows:

Paragraph (e) (2) is amended to read as follows:

(2) "Jobber" means any person other than a "wholesaler" or "retailer" who buys dehydrated alfalfa meal from the processor or another jobber for resale.

This amendment shall become effective upon its issuance.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of December 1943.

L. F. GENTNER,  
Regional Administrator

[F. R. Doc. 44-178; Filed, January 4, 1944;  
3:36 p. m.]

[Region VIII Order G-83 Under 18 (c)]

#### TRANSPORTATION OF GRAIN AND FEED IN CALIFORNIA BY MOTOR CARRIERS

Order No. G-83 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Adjusted maximum prices for the transportation of grain and feed

in California by motor carriers other than common carriers.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended, of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The adjusted maximum prices which may be charged by any carrier other than a common carrier for the service of transporting grain and feed by motor truck for the distances and under the conditions specified in Appendix A attached hereto, where the point of origin and the point of destination are in the State of California, including customary loading and unloading, shall be the applicable rates specified in the said Appendix A.

(b) In determining the distance between any two points for purposes of this order, the constructive highway mileages set forth in Distance Table No. 3, issued by the Railroad Commission of the State of California on December 27, 1938, in connection with its decision No. 31605, as said table has been amended and supplemented up to the date of this order, shall be used.

(c) For the purposes of this order:

(1) The term "grain" means whole grain (including paddy rice and flax seed) and grain products except grain products suitable for human consumption.

(2) The term "feed" means poultry and livestock feeds, including mixed feeds and the usual ingredients going into mixed feeds.

(d) This order may be amended, revoked or corrected at any time.

This order shall become effective December 28th, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871 and E.O. 9326, 8 F.R. 4681)

Issued this 23d day of December 1943.

L. F. GENTNER,  
Regional Administrator.

#### APPENDIX A

ADJUSTED MAXIMUM PRICES IN CENTS PER HUNDRED POUNDS

Miles		Minimum 10,000 Lbs.	Minimum 20,000 Lbs.	Minimum 30,000 Lbs.
Over	But not over			
0	5	10	7½	6¼
5	10	10	8	7
10	15	11	8½	7½
15	20	11	9	8
20	25	12	9½	8½
25	30	13	10	9
30	40	-----	11	10
40	50	-----	12	11
50	60	-----	13	12
60	70	-----	14	13
70	80	-----	15	14
80	90	-----	16	15
90	100	-----	17	16
100	120	-----	19	17½
120	140	-----	21	19
140	160	-----	23	20½
160	180	-----	25	22
180	200	-----	27	23½
200	220	-----	29	25
220	240	-----	31	26½
240	260	-----	33	28
260	280	-----	35	29½
280	300	-----	37	31
For distances over 300 miles add for each 25 miles or fraction thereof			2	1½

[F. R. Doc. 44-172; Filed, January 4, 1944;  
3:32 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-713]

### UNITED UTILITIES, INCORPORATED

#### ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 30th day of December 1943.

United Utilities, Incorporated, a registered holding company, having filed an application, and amendments thereto, under the Public Utility Holding Company Act of 1935 for the approval of the acquisition of 7002 shares of \$50 par value common capital stock of The United Telephone Company of Pennsylvania from The Bell Telephone Company of Pennsylvania and the issuance of securities by The Western Petroleum Exploration Company to evidence a bank loan in the amount of \$200,000, the proceeds from which are to be applied to the partial payment of indebtedness owing by such latter company to its parent, United Utilities, Incorporated;

Public hearings having been held on said application after appropriate notice, and the Commission having examined the record and made and filed its findings and opinion based thereon;

*It is ordered*, That said application, as amended, be and is hereby granted subject, however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 44-157; Filed, January 4, 1944;  
2:57 p. m.]

[File No. 70-839]

### ASSOCIATED GENERAL UTILITIES COMPANY NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of January 1944.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Associated General Utilities Company, a subsidiary of Associated Gas and Electric Company and Associated Gas and Electric Corporation, registered holding companies. All interested persons are referred to said document, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Associated General Utilities Company proposes to expend approximately \$125,000 for the purpose of acquiring and retiring a portion of its debt securities, such debt securities being all equal in rank. It is proposed to acquire such securities through tenders from security holders. Any balance of the fund remaining after the acceptance of tenders by the company will be expended to the purchase of debt securities in the open market through regular security dealers.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter, and that said declaration shall not become effective except pursuant to further order of this Commission;

*It is ordered*, That a hearing on said matter under the applicable provisions of said Act and rules of the Commission thereunder be held on January 18, 1944, at 10 o'clock a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such declaration shall become effective. Notice is hereby given of said hearing to the above named declarant by registered mail and to all other persons by publication in the FEDERAL REGISTER. It is requested that any person desiring to be heard in this proceeding shall file with the Secretary of the Commission, on or before January 13, 1944, an appropriate request or application to be heard as provided by Rule XVII of the Commission's rules of practice.

*It is further ordered*, That Charles S. Lobingier, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's rules of practice.

*It is further ordered*, That, without limiting the scope of issues presented by said declaration otherwise to be considered in this proceeding, particular attention will be directed in this hearing to the following matters and questions:

1. Whether all actions proposed to be taken comply with the requirements of the Public Utility Holding Company Act of 1935 and rules, regulations or orders promulgated thereunder;

2. Whether terms and conditions are necessary to be imposed to insure compliance with the provisions of said Act or rules, regulations or orders promulgated thereunder.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 44-153; Filed, January 4, 1944;  
2:57 p. m.]

[File No. 812-342]

### NATIONAL AVIATION CORPORATION

#### NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of January, A. D. 1944.

National Aviation Corporation, a registered investment company, having

filed an application under the provisions of section 10 (f) of the Investment Company Act of 1940 for an order permitting it to purchase as a shareholder pursuant to rights its aliquot portion of shares of  $\frac{1}{8}$  proposed offering by United Air Lines, Inc. of  $4\frac{1}{2}\%$  cumulative preferred stock to holders of its common stock at a price of \$100 per share in the ratio of 7 shares of  $4\frac{1}{2}\%$  cumulative preferred stock for each 100 shares of common stock held, such offering being underwritten in part by Hornblower and Weeks, 40 Wall Street, N. Y., N. Y., and Paine, Webber, Jackson and Curtis, 25 Broad Street, N. Y., N. Y., of which firms certain directors of the applicant are affiliated persons;

It is ordered, Pursuant to section 40 (a) of said Act, that a hearing on the aforesaid application be held on January 7, 1944 at 10:00 o'clock in the forenoon of that day in Room 318 of the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pa., and

It is further ordered, That William W. Swift, Esq., or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on such application. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicant and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-159; Filed, January 4, 1944;  
2:57 p. m.]

## SOCIAL SECURITY BOARD.

### STATE UNEMPLOYMENT COMPENSATION LAWS

#### CERTIFICATION TO SECRETARY OF TREASURY

Pursuant to section 1603 (a) of the Internal Revenue Code as amended, the Social Security Board has heretofore approved the unemployment compensation laws of the following States:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

In accordance with the provisions of section 1603 (c) of the Internal Revenue Code, the Social Security Board hereby certifies the foregoing States to the Sec-

retary of the Treasury for the taxable year 1943.

[SEAL] SOCIAL SECURITY BOARD.  
By A. J. ALTMAYER,  
Chairman.

DECEMBER 31, 1943.

Approved:

WATSON B. MILLER,  
Acting Administrator

[F. R. Doc. 44-154; Filed, January 4, 1944;  
12:18 p. m.]

### STATE UNEMPLOYMENT COMPENSATION LAWS

#### CERTIFICATION TO SECRETARY OF TREASURY

Certification of state laws to the Secretary of the Treasury pursuant to section 1602 (b) (1) of the Internal Revenue Code.

Whereas, the Social Security Board has heretofore certified to the Secretary of the Treasury the unemployment compensation laws of the States hereinafter enumerated with respect to the taxable year 1943, as provided in section 1603 of the Internal Revenue Code, as amended; and

Whereas, the Social Security Board hereby finds that reduced rates of contributions were allowable under the laws of each of said States with respect to the taxable year 1943 only in accordance with the provisions of subsection (a) of section 1602 of said Code:

Now therefore, pursuant to section 1602 (b) (1) of said Code, the Social Security Board hereby certifies to the Secretary of the Treasury the Unemployment Compensation Law of each of the following States for the taxable year 1943:

Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Maine, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Texas, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

[SEAL] SOCIAL SECURITY BOARD.  
By A. J. ALTMAYER,  
Chairman.

DECEMBER 31, 1943.

Approved:

WATSON B. MILLER,  
Acting Administrator

[F. R. Doc. 44-155; Filed, January 4, 1944;  
12:18 p. m.]

## WAR FOOD ADMINISTRATION.

### WAGE RATES AND PRICES FOR 1944 CROP OF SUGAR BEETS

#### NOTICE OF HEARINGS AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in subsections (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress) as amended, and Executive Order No. 9322,

issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, notice is hereby given that public hearings will be held at Washington, D. C., in room 1409 of the South Building of the Department of Agriculture on January 14, 1944 at 9:30 a. m., at Detroit, Michigan in room 859 of the Federal Building on January 25, 1944 at 9:30 a. m. and at Denver, Colorado in the Cosmopolitan Hotel on January 28, 1944 at 9:30 a. m.

The purpose of the hearing in Washington, D. C., is to receive evidence likely to be of assistance to the War Food Administrator in determining (1) pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1944 crop of sugar beets on farms with respect to which applications for payments under the said act are made, and (2) pursuant to the provisions of section 301 (d) of the said act, fair and reasonable prices for the 1944 crop of sugar beets to be paid under either purchase or toll agreements, by processors who, as producers, apply for payments under the said act; and to receive evidence likely to be of assistance to the War Food Administrator in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugar beets and with respect to the terms and conditions of contracts between laborers and producers of sugar beets.

The purpose of the hearings at Detroit, Michigan, and Denver, Colorado, is to receive evidence likely to be of assistance to the War Food Administrator in determining, pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1944 crop of sugar beets on farms with respect to which applications for payments under the said act are made; and to receive evidence likely to be of assistance to the War Food Administrator in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between laborers and producers of sugar beets.

These hearings, after being called to order at the time and place mentioned herein, may be continued from day to day within the discretion of the presiding officer, and may be adjourned to a later day or to a different place without notice other than the announcement thereof at the hearing by the presiding officer:

Joshua Bernhardt, C. M. Nicholson, C. R. Oviatt and H. H. Simpson are hereby designated as presiding officers to conduct, either jointly or severally, the aforementioned hearings.

Done at Washington, D. C., this 4th day of January 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator

[F. R. Doc. 44-214; Filed, January 5, 1944;  
11:23 a. m.]